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Conference Issue

Presidential and Parliamentary Democracies: Which Work Best?

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Discussion: Demetrios Caraley, Bill Green, Jennifer Hochschild, James L. Sundquist

Italy
Mauro Calise — **The Italian Particracy: Beyond President and Parliament**
Discussion: Joseph LaPalombara, Maristella Lorch, Raffaella Y. Nanetti, Giovanni Sartori

Britain
Leon D. Epstein — **Changing Perceptions of the British System**
Discussion: James B. Christoph, Ira Katznelson, Gillian Peele

Making Foreign Policy
Theodore C. Sorensen — **Foreign Policy in a Presidential Democracy**
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Concluding Reflections
Richard Pious — **Which System Does Work Best?**

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On 20–21 May 1993, *Political Science Quarterly*, the Academy of Political Science, and the Italian Academy of Advanced Studies in America held a conference at Columbia University's School of International and Public Affairs on the topic, "Parliamentary and Presidential Democracies: Which Work Best?" The analyses and discussions of that conference gave insight into institutional problems of democracies and the people they serve. We thought that it would be useful to transmit the thinking that took place at the conference beyond the participants to a wider audience of people interested in public affairs and especially in the successful operation of democratic forms of government. Our regular Academy of Political Science membership dues do not cover the cost of conferences or special issues. The Italian Academy volunteered to contribute to the publication of this special conference issue and with the additional generous help of the Florence and John Schumann Foundation and of ninety-seven members of the Academy of Political Science who made a special contribution for this purpose, we are able to distribute this issue without charge to our entire Academy membership.

DEMETRIOS CARALEY
Editor, *Political Science Quarterly*

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Editor's Introduction

This special issue of *Political Science Quarterly* grew out of a two-day, international conference held at the School of International and Public Affairs of Columbia University on the topic, "Presidential and Parliamentary Democracies: Which Work Best?" The conference was cosponsored by *PSQ*, the Academy of Political Science, and the newly founded Italian Academy for Advanced Studies in America. The conference participants included leading scholars from the United States, Italy, and Great Britain. There was a separate panel with a prepared paper and a set of discussants on each of three democracies: the United States—a two-party presidential system; Italy—a multiparty, coalition government parliamentary system; and Great Britain—a two-party parliamentary system. Because the panels on each nation focused primarily on processes for making domestic policy, two expert practitioner-observers gave prepared papers on foreign policy. These presentations made clear the radically larger amount of influence over foreign policy by legislators in the American Congress than in the Italian or British Parliaments.

The prepared papers and the remarks of the discussants threw important light on such major systemic questions as:

- Do the constitutional provisions for separation of powers, including the independent election of the president and of members of Congress, make the American democracy inherently susceptible to needless conflict and to political gridlock?
- Can control of the presidency and of Congress by the same party in the United States overcome such gridlock or does the increased decentralization of influence within Congress and the difference between nominal and de facto or working party control of Congress make such simplistic solutions unrealistic?
- Because in the United States majorities (and sometimes as on the Senate floor, extraordinary majorities) must prevail in committees, in two chambers of Congress separately, and in conference committees to initiate and fund programs, does it become much easier to kill than to institute new programs? Does the American political system therefore systematically discriminate against ameliorating problems felt acutely by minorities with few resources and few votes?
- Have systematic and extensive bribery and corruption in Italy among governmental and party leaders, business interests, and even some

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criminal elements in effect nullified the democratic character of Italy's parliamentary system?

- Was the democratic character of the Italian system weakened even more by the combination of multipartyism and an unusual proportional representation voting system—changed since our conference—that made it virtually impossible for the general public in Italy to vote out of the legislature and even out of the cabinet a set of "ins" and install a new set of leaders who had not been tarnished by the records of their predecessors?
- Does the tight and sometimes perfectly cohesive party voting in the British parliament make Britain a defacto elective dictatorship during its five-year term in office? Indeed, how democratic is a system where not only the majority party as a whole but also a majority of that party can impose its preferred policies regardless of major opposition within its own party, in the opposition party, and among the general public?
- Does the concentration of responsibility for government performance in the majority party leadership and the running together as a team by the rank-and-file members of Parliament as well as by the would-be prime minister and other cabinet ministers make democratic control by the voters more viable in Britain than in the United States and Italy, where assigning credit and blame is so difficult?
- Does parliamentary sovereignty, or perhaps more accurately majority-party sovereignty, in Britain need to be checked by a constitutional bill of rights that would protect such vital democratic values as free speech, press, and fair trials in criminal cases—values that now rest on tradition and their acceptance by the government of the day?

What the papers and discussions of the conference make clear is that the United States, Italy, and Britain have different weaknesses and strengths in their democracies, some aggravated by their different institutional forms and some having to do with traditions and with particular political personalities. Furthermore, sometimes one and sometimes another of the three systems works better in adhering to a particular democratic value.

Fortunately for their citizens and for all lovers of democracy, the American, Italian, and British democracies also have certain desirable characteristics in common. All three systems have free elections where the entire adult citizenry is eligible to vote. Their governments do not arrest competitors, who are allowed to organize, vote, and for the most part have the ballots cast for them counted honestly. If the government

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loses the election, its elected officials leave office voluntarily and do not use their control of the military or the police to hold on to their offices despite the election returns. The new winners do not arrest, imprison, or execute the previous ins but allow the new outs to try to outvote them at the next election. There is a great deal of openness in the systems in allowing newspapers and electronic media the freedom to criticize incumbent officials as sharply as they wish. Finally, political rivals are seen as opponents to defeat, not as enemies to destroy. In short, the American, Italian, and British political systems have learned to use free, competitive elections to serve as the functional equivalent of the revolutions and coups d'etat that occurred in their own histories and that still take place in too many other political systems of the world today.

Note on Electoral Rules

Because the readership of *PSQ* is an international one, it may be useful to explain how certain terms are used and electoral rules operate in the United States, Italy, and Great Britain.

The term first-past-the-post election as used in Europe and by those who study European politics is equivalent to what in the United States is called a plurality election, meaning that the candidate who gets the largest number of votes is the winner regardless of whether those votes constitute a majority. A majority is more than half of all votes cast. In American general elections for senators, for members of the House, and for statewide slates of electors pledged to different presidential candidates, a plurality in the congressional district or in the state as a whole is sufficient to win. Because in the United States there have been only two parties competing over most of its history, the plurality in a two-person election has almost always in fact been a majority. (In some state and municipal elections, if no candidate polls a majority there is a runoff election between the two top candidates so that the elected official at the final stage will have had majority backing.)

In the electoral vote count for the American president a majority of electoral votes is needed to elect. If such a majority is lacking, the choice of president goes to the House of Representatives, where the vote is by state delegation and where a majority of state delegations is necessary to elect a president. In this process, each state delegation casts one vote regardless of the size of the state's population. Given that electoral votes are allocated statewide by pluralities in what is a

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winner-take-all system, it is possible when more than two presidential candidates are competing for one of the candidates to get a majority of electoral votes with only pluralities in many of the states carried and nationwide. This occurred in 1860, when Abraham Lincoln was elected with 39.8 percent of the popular vote, in 1912 when Woodrow Wilson was elected with 41.8, and in 1968 when Richard Nixon was elected with 43.4. When President Bill Clinton won the presidency in 1992 with 370 or 69 percent of the electoral votes, he drew only 43 percent of the popular vote nationwide. His opponents, George Bush and Ross Perot, received 37.4 and 18.9 percent of the popular vote respectively.

If the support of strong independent or third-party presidential candidates were to become regionally based in some populous states, one of those could carry pluralities in some major states and thus secure electoral as well as popular votes and deny anyone a majority. The House of Representatives would then have to choose the president under a system where Wyoming, Vermont, and Alaska with populations of 460,000, 567,000, and 570,000 would have the same voting strength as California, New York, and Texas with populations of over 33 million, over 18 million, and over 17 million respectively.

In the British parliamentary democracy, the election of members of the House of Commons is on a first-past-the-post or plurality basis in each district. As in the United States, only two parties at a time have usually dominated elections to the House of Commons so that the plurality winner usually has also been the majority winner. The selection of the prime minister does, however, require a majority vote of confidence in the House of Commons. In the event that a strong third party might emerge and capture enough seats to deprive the two main parties of a majority, a coalition government might have to be formed as has been the case in Italy.

The Italian political system since World War II has had five or six parties seriously contending for seats in the legislature and for selection of the prime minister. The voting system up to the date of our conference was based on national proportional representation, where the electorate voted for party lists of candidates and no one was elected from any particular district. Each party obtained a share of seats roughly equal to the proportion of the party's vote nationally. As the means for translating the proportional vote into the election of specific individuals, each party prepared party lists of their candidates that indicated a rank order of names so that names at the top were elected

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even if the overall proportion of the vote for the party was small. Obviously, the larger the proportion of votes a party drew, the more individuals farther down in the party list were elected. The selection of the prime minister in Italy does require a majority vote of confidence in its Chamber of Deputies. Because a single party never won a majority of the seats in the legislature since World War II, fifty-two cross-party coalitions had to be formed to select the prime minister and a Cabinet, and leaders from all the parties in the governing coalition were given cabinet posts.

After a national referendum in 1993 mandating the Italian legislature to change its electoral system, 75 percent of the seats in the Chamber of Deputies were open for competition on a district basis with the candidate first past the post being deemed elected; the remaining 25 percent of the seats were allocated by proportional representation from party lists as was the case in the past, but with a party receiving less than a threshold of 4 percent of the vote now being denied any seats at all.

The first general election under these ground rules took place in 1994 over the 27 and 28 March weekend. An alliance of two new parties, Forza Italia and the Northern League, and of one old one, the National Alliance, whose origins were in the Fascist party, won a majority of the seats in the Chamber of Deputies. They did this mainly by running against the massive corruption of the center parties which had been the dominant coalition partners in the pre-1994 governments. Since Forza Italia won the largest number of votes, its leader took the initiative in forming a government in which he became prime minister and members of his party took most of the cabinet posts; but since the votes of Forza's coalition partners were necessary to support a vote of confidence for the new government, they too received a share of the cabinet posts. Even under the new electoral system, the Italian democracy continued in its tradition of having coalition governments.

Acknowledgments

On behalf of *PSQ* and the Academy of Political Science, I want to thank the participants of the conference who came to New York and contributed without stipend. I am grateful to Dean John Ruggie and the School of International and Public Affairs of Columbia University for their making available the excellent facilities of the Kellogg Confer-

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ence Center. I am also grateful to the Italian Academy's hosting of the conference's dinner in the ballroom of the historic Casa Italiana. On this and in all our collaborative efforts, it gave me special pleasure to work with my long time friend and colleague, Maristella Lorch. I wish to express my thanks to Cerentha Harris, *PSQ*'s managing editor, who though fully engaged in the publishing of the *Quarterly*'s regular four issues, also took on the bulk of the work in our transforming the transcript of the conference into this special issue of *PSQ*. Finally, I want to acknowledge publicly the enormous contribution in the organizing of the conference and the publication of this issue made by Vilma Mairo Caraley.

DEMETRIOS CARALEY
Editor, *Political Science Quarterly*

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Note from the Director of The Italian Academy for Advanced Studies in America

The Italian Academy is the result of an unprecedented agreement signed in 1990 by the Republic of Italy and by Columbia University. Its ultimate mission is to "offer a privileged view of Europe to America from an Italian perspective." Such a mission is carried out mainly by taking advantage of the resources of the University of which the Academy constitutes an integral part, while maintaining at the same time a form of autonomy within the University. The Academy focuses on Italian creativity: the creativity of today's Italy as it grows out of its millennial shell into a new identity within post-Soviet Europe.

It is obvious that this research center should have warmly accepted cooperation with the Academy of Political Science, one of America's oldest and most distinguished scholarly societies. This first common research conference on Presidential and Parliamentary Democracy: Which Work Best? will hopefully be the beginning of a long road we take together. The content of such a conference, the names of the scholars involved, and last but not least, the relevance of its results for Italy's future, are among the reasons why the Italian Academy felt so strongly in favor of the project. We will continue to focus together on Italy, on Europe, on all the changes of this dramatic moment, looking ahead wherever an answer can be found.

Maristella Lorch
Director, The Italian Academy
for Advanced Studies in America

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AMERICAN PRESIDENTIAL DEMOCRACY

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Presidential Democracy in America: Toward the Homogenized Regime

THEODORE J. LOWI

Presidential democracy is not an alternative on an equal plane with parliamentarism. Presidential government is a reality. Presidential democracy is also a pathological condition we must seek to heal.

The world is in revolution, and political institutions may be the primary victims. Even among conflicting factions and warring ethnic groups and nations, there seems to be consensus on the need to adopt market-driven economic institutions. But on the question of political institutions and on the constitution appropriate for them, there is only an abstract and unenlightening appeal for democracy, and this democracy means two things: masses to validate and presidents to implement. Boris Yeltsin is a model. His problem is his legislature, composed of conservative, narrow-minded old Communists. The American president is his model. As in America, gridlock means Congress. In America Congress bashing is at an all-time high and Congress's performance ratings at an all-time low. Likewise in Russia, only more so. The bashing went beyond words to artillery fire on the parliament building itself. If there is one thing on which the Right and Left here and there agree, it is that gridlock can be broken and the health of the nation could be restored if only we had a strong and unobstructed

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president. It appears that everyone has accepted presidential democracy.

Yet presidential democracy is an oxymoron. It is a flimsy effort to redeem presidential government. As we all know, the presidency of the United States started out as almost an empty vessel. Richard Pious has demonstrated quite decisively that at first presidents were "simply presiding officers of the legislature: the common use of the term *president* in the eighteenth century emphasized this [presiding] function, almost to the exclusion of any executive powers . . . [and] they were usually men whose talents and reputations matched their office."[1] For more than a century after the founding, during our parliamentary epoch, presidents were strong only in war; and strong war presidents left little if any institutional legacy. The president as we understand the job in the context of presidential democracy is almost entirely a product of the middle of the twentieth century. We constructed this modern presidency in the United States by a series of acts of Congress delegating legislative as well as executive powers to the presidency. Then we spent five decades trying to democratize it.

We have, of course, tried to democratize the presidency institutionally. Less appreciated is the fact that we also tried to democratize it by rewriting democratic theory in order to demonstrate that the American presidency is a democratic institution. Quoting Harry Truman, the president became "the lobbyist for all the people," the only official selected by a national electorate. The president also became, according to James MacGregor Burns, the only means available to overcome the "deadlock of democracy" inherent in our Constitution. The revised American democratic theory came relatively late to the General Will, but when we found it, we called it the "will of the American people," and we located it somewhere in the White House.

There is even social theory to go along with the political theory, which purports to demonstrate that society today is so much more complicated to our legislators than the society of 1840 or 1880 was to the legislators of those days that legislatures can no longer write genuine laws but are far better off delegating their powers to the president and his agencies. Efforts by Congress to actually specify in law the clear intent of Congress would be guilty of micromanagement.

Some will respond that Congress is still very much in the picture and that it even has the capacity to dominate. True, but it doesn't

[1] Richard Pious, *The American Presidency* (New York: Basic Books, 1979), 21–22.

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work. Congress delegates broadly and then tries to take it back in bits and pieces. This is basically Congress's contribution to presidential democracy, in theory and practice. I call it legiscide. Even when Americans looked to Congress to fight the Imperial Presidency and to get out of Vietnam, Congress was delegating new legislative powers to the presidency—some of the broadest powers ever delegated by Congress to the executive branch. Legiscide continues. Indeed, a Democratic Congress was delegating to a Republican president.

Presidential government was a genuine regime change—the Second Republic of the United States. But it was not seen or felt as such, probably because it did not require martial law or otherwise violate basic civil liberties during its transition. Just as the absence of genuine revolution in the eighteenth century contributed to American exceptionalism, so did the soft landing of the Second Republic deprive Americans of full appreciation of what was sacrificed from the First Republic and what was genuinely novel and problematic about the Second. A "new political science," which Alexis de Tocqueville sought for the First Republic was also needed for the Second. Instead, we got bad theory.

We might, however, profit vicariously from those scholars who have lived through the efforts of fascism to impose virtual plebiscitary democracies of executive government on the nascent republics of Europe. Permit me to quote at length from the reflections of the great Gaetano Mosca:

> Fifty years . . . [I] sought to lay bare some of the untruths . . . of the representative system, and some of the defects of parliamentarism. Today advancing years have made [me] more cautious. . . . Specialization in the various political functions . . . and reciprocal control between bureaucratic and elective elements are two of the outstanding characteristics of the modern representative state. These traits make it possible to regard that state as the most complex and delicate type of political organization that has so far been seen in world history. From that point of view, and from others as well, it may also be claimed that there is an almost perfect harmony between the present political system and the level of civilization that has been attained in the century that saw it come into being and grow to maturity.[2]

What comes through most strongly to me in this passage is Mosca's belated discovery of the validity of mixed government, or the mixed regime. Rooted in the more distant past, the theory held that in order

[2] Gaetano Mosca, *The Ruling Class* (New York: McGraw-Hill, 1939), 389, 491.

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to keep *mon*archy from degenerating into tyranny, the more prominent social interests, classes, or forces must be brought into play. Whether in king, lords, and parliament or in executive, legislative, and judicial branches, a separation-with-balance among competing values and views of social order is required. Representative democracy as a mixed regime is quite obviously "the most complex and delicate type of political organization . . . ," but its value is so commonplace as to be lost among even the most sophisticated of the political classes.

The democratic spirit emerging out of the nineteenth century contributed not to the return of monarchy but to a government based on a single principle, rule on the basis of the mass support (real democracy) or in the name of the masses (virtual democracy). "Presidential democracy" is a meaningful construct, because it is indicative of the tendency of democracies to homogenize the regime; that is to say, the tendency of democracies to impose a single value on all institutions and practices. In any democracy, all institutions are in mesh; everything tends toward equality. Ironically, *human* equality is usually the last and least of the factors subject to equalization; nevertheless, the direction of democracy is toward homogenization.

Lest I be misunderstood as antidemocratic, let me quickly revert to a constitutionalist version of these stark observations. Democracy—especially when it claims to incorporate the executive bureaucracy as the core of democratic government—is the opposite of the ideal of the "mixed regime." In the United States, the mixed regime is associated most explicitly with Montesquieu, passing down to us through the American Constitution and the *Federalist Papers*. But the requirement of the mixed regime and the maintenance of that delicate balance, as Mosca put it, "between bureaucratic and elected elements" need not be met by an American-type separation of powers. This is simply one instructive case and not necessarily one to be imitated or initiated. Party government, properly understood, is another. Surely perennial French presidential candidate François Mitterand had mixed regimes in mind when he asserted that "a society in which the separation of powers is not stipulated has no constitution . . . and I would add that such a country . . . is not a Republic either."[3] Later on as president, Mitterand may not have practiced completely what he preached. Nevertheless, as president he has been truer to the mixed regime than Charles De Gaulle, whose concept and conduct were guided, nay in-

[3] J. E. S. Hayward, *Governing France* (New York: W.W. Norton, 2nd ed., 1983), 5.

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spired, by the unitary, monistic, homogenized regime. De Gaulle was a genuine presidential democrat. He sought unitary authority directly from the French people.

Ten years ago, living in France and trying to use the French experience to capture the nature and problem of the American presidency, I entitled the draft of my book in progress *The Plebiscitary Presidency*. My publisher convinced me later to change the title, not because it was inaccurate – far from it – but because "American readers, even in academia, wouldn't understand it; and you shouldn't have a title you have to explain." I accept, as do most other observers, the characterization of the American Constitution today as presidential government, or even presidential democracy. But merely to describe it as an established fact and then to identify some symptoms or irritants in need of reform in order to perfect presidential democracy is to miss the point entirely. Since every regime, indeed every political institution, is problematic, one should not be considered antidemocratic for treating a democratic regime as problematic. Quite the contrary. This should be the defining characteristic of political science: the study of political pathology. This could be the new political science of the Second Republic.

Let me take this to the discontents of our time, focusing on criticisms widely shared among people of all ideologies and walks of life in the United States. These criticisms provide much of the basis for the antigovernment spirit and the general decline in the legitimacy of public objects here and abroad. They also deserve a close look for an anthropological reason. I will try to interpret the character of the criticism and what each criticism, whether true or false, reveals about our system.

The first criticism, in capsule form, is that our elections have declined into mere spectacles, rather than means of choosing the best rulers and producing popular mandates for public policy. It is undoubtedly true that most elections are like popularity contests, but what is to me more significant is the posing of the proposition itself. It rests on the assumption that elections once chose the best persons and at the same time reduced their ability to be best by directing their decisions with mandates. The theory of the mandate hasn't even made much sense in those countries where the more programmatic or ideological parties constituted what Americans once admired as "a more responsible two-party system."[4] The *Oxford English Dictionary* defines "man-

[4] APSA Committee, "Toward a More Responsible Two-Party System," supplement to *American Political Science Review*, September 1950.

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date" as an order, or command, as from a superior to a subordinate. As for its meaning in politics, the *Oxford* quotes a passage from a 1901 English newspaper: "Strictly speaking there is no such thing in England as a mandate . . . that essentially Jacobinical phrase." This is because mandates have never made any sense in the context of genuine representative government. Mandate theory becomes popular when it forms a part of a serious attack on "parliamentary democracy" and when parliamentary democracy is being opposed by some form of direct democracy. Direct democracy means plebiscites and referendums. And direct democracy means presidential democracy. A mandate is a claim made by the victorious candidate for president in order to enhance the validity and effectiveness of the victory. Thus, as the legitimacy of Congress declines, the mandate emerges as the cutting edge of presidential democracy.

The second criticism is really an extension of the first, but a significant extension: In brief, the will of the American people, as expressed in elections and polls, is being frustrated by professional politicians and by the special interests. This, too, is anthropologically rich, providing a wealth of insight into current American democratic theory. Note the inarticulated assumption on which the criticism is based: the will of the people is expressed equally in elections and polls. This revision in the definition of the source of citizen preferences amounts to a change of historic proportion in democratic theory and is the theoretical underpinning for the most important recent change in democratic political practice—the emergence of the public opinion poll as a central institution of democracy. We have hardly begun to give proper weight to the influence of polling. The very equating of polls with elections not only rearranges the assumptions that become our theories and justify our conduct of politics. Beyond that, polls have contributed to the institutionalization of a direct and unmediated association of the president with the mass public. Technically, political polling was available in the late nineteenth century but was resisted as "an infamous, contemptible conspiracy in this glorious, free republic."[5] It was then developed largely by newspapers for advertisers and with increasing frequency to generate news and public interest stories. It was literally not until the late 1930s that public opinion polling for political purposes became a serious industry, and it was a decade or more later before

[5] Quoted in Richard Jensen, "American Election Analysis" in S. M. Lipset, ed., *Politics and the Social Sciences* (New York: Oxford University Press, 1969), 228–229.

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it became the primary institution for connecting the president directly with the public, with performance ratings and issue ratings that amount precisely to regular votes of confidence—in effect, plebiscites. Thus, as presidential power increased—to the point where we became a presidential democracy—the president's vulnerability to public demands and expectations went up at an equal if not greater rate.

Is the will of the people being thwarted by professional politicians and special interest groups? I will say little here about the alleged nefarious role of professional politicians, because I suspect that most people reading this criticism assume that it means politicians in Congress. Whatever the case, the interest group aspect of the complaint is more timely, because it provides a linkage to the still larger problem of the homogenization of Congress within the values of presidential democracy. As presidential power increased to the point where we had a new regime of presidential government, greater demands were almost inevitably made by groups for some kind of representation in the executive branch. Instead of lobbying, we should call it corridoring. As a general rule, demands for representation go wherever discretionary power goes. Thus, when Congress created presidential government by a succession of laws delegating discretionary policy-making power to the executive branch, the politics of Congress was delegated along with it.

Here is a classic illustration of the homogenizing tendency in our system. There is no mystery about it. Virtually every major expansion of presidential discretion was followed or accompanied by efforts to impose on the executive the appearance, and to a large extent the reality, of representation. Almost immediately, the lawyers and political scientists began altering administration law jurisprudence by calling the new authority lodged in executive agencies "quasi legislative" and "quasi judicial." But "quasi" only softened the reality of Congress's having given over so much of its legislative power to the executive branch. One of the first substantive reactions to all this delegation was the Administrative Procedure Act (APA), conceived much earlier but enacted as one of the first pieces of post-World War II legislation. The main purpose of APA was to make the regulatory agencies more like courts. But from the judicial, or quasi judicial procedures of information gathering, notice, hearings, testimony, etc., it was but a short step to provision of more general group participation in administrative decision making, and to more theory supporting representation in the executive. Here the job was taken over from the lawyers by political

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scientists with the expansion of pluralist theory to support the principle of "including interest groups in the interior processes of decision making."[6] Gary Bryner has identified and documented in his important book the formal means of extending forms of representation to the regulatory agencies and beyond.[7] For convenience they can be grouped into three types. First is administrative law, through the procedures of hearings, public comment, official participation identified above. This can also include provision for tripartite advisory groups, agency polls, and public hearings in the field, going well beyond the APA. The second category he labels scientific and economic analysis, which includes requirements for cost-benefit analysis, environmental impact statements, science advisory councils, and other more or less professional and subject-matter advisory groups. Bryner's third category, political oversight, refers mainly to congressional committee and subcommittee hearings, investigations, and individual staff or member interrogations. This is familiar stuff, well understood efforts to impose some degree of executive accountability to Congress. But in the process of trying to contend with the enormous executive that it has built, something else was happening to Congress—homogenization in the ambit of presidential democracy. Congress has come more and more to resemble the very executive branch it is trying to control.

I wish to grant at the very outset of this argument that Congress continues to be the most creative national legislature in the world. As in the past, Congress generates mountains of legislation. The total number of bills introduced reached its peak in the 90th Congress (1967–1968) with 22,000 bills introduced in the House and 4,400 in the Senate. In the 1980s, this had dropped significantly to about 7,500 in the House and 3,500 in the Senate. Bills passed in the 1950s averaged roughly 2,000 per Congress, 1,000 in the 1970s, and a bit below 1,000 in the 1980s. Altogether that is an impressive operation, especially when compared to European parliaments, which in the American context appear to resemble conventions for choosing leaders and governments more than assemblies for making laws. This historic commitment of the American Congress to being a real legislature explains why Congress has standing committees, an advanced division of labor, large personal and committee staff, and so large an apparatus for independent re-

[6] Arthur Schlesinger, Jr., *Kennedy or Nixon—Does It Make Any Difference?* (New York: Macmillan, 1960), 43.

[7] Gary Bryner, *Bureaucratic Discretion* (New York: Pergamon Press, 1987), 14ff.

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search. Yet, the level of legislative production is significantly down, while staff apparatus is significantly up. As a matter of fact, Congress's staff development in the last thirty years goes far beyond what it takes to play its role as a creative legislature. Commitment to its legislative function cannot alone explain the enlargement of professional staff from 1,300 in 1935 (870 in the House, 424 in the Senate) to more than 11,000 professional staff in 1986 (7,920 in the House and 3,774 in the Senate); nor can this theory explain the explosive growth in professional support staff from a small Legislative Reference Service in the 1940s to a gigantic force of nearly 30,000 personnel in the 1980s in the Congressional Research Service, the Office of Technology Assessment, the Congressional Budget Office, and the General Accounting Office. A bureaucracy is trying to run a bureaucracy.

The distinguished Columbia University political scientist, Arthur W. MacMahon, tried to warn us in 1942 of the risk of the loss of distinctiveness as a legislative institution with the addition of too much professional staff:

> The [congressional] staff necessary for continuous inquiry could be maintained only at the risk of a harmful division of responsibility, while such staff would still lack a first-hand sense of operations. *The hazard is that a body like Congress, when it gets into detail, ceases to be itself. . . .*[8]

An echo was heard over forty years later with Harold Seidman's observation that "Growth of a professional bureaucracy accentuated the innate disposition of the Congress to concentrate on administrative details rather than the basic issues of public policy."[9] Seidman goes on to quote James Sundquist's observation that congressional staffers force members of Congress into becoming "managers of professional staff" rather than legislators engaged in deliberation and true collective decision making. Another echo was heard from legislative expert Kenneth Shepsle, who observed with chilly objectivity:

> Growth [in staff] transformed legislative life and work. In the 40's, the House had its norms and the Senate its folkways. . . . Members who were neighbors . . . or who traveled back and forth to Washington [together] came to know each other exceedingly well. But even more distant relationships were based on familiarly and frequent formal and informal meetings. By the mid-1960's

[8] Arthur W. MacMahon, "Congressional Oversight of Administration: The Power of the Purse—II," *Political Science Quarterly* 58 (September 1943): 413–414. (Emphasis added.)

[9] Harold Seidman and Robert Gilmour, *Politics, Position and Power* (New York: Oxford University Press, 2nd ed., 1986), 40–41.

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> this had all changed. The rubbing of elbows was replaced by liaisons between legislative corporate enterprises, typically at the staff level. Surrounded or protected by a bevy of clerks and assistants, Members met other Members only occasionally and briefly on the chamber floor or in committee hearings.[10]

Incumbency reelection also takes on a special meaning in the context of the homogenization of the branches. As Samuel Huntington observed, successive reelection creates professionals, which insulates the institution from society. Apologists respond that there is comparatively high turnover in Congress. As Speaker Thomas Foley put it:

> If it is true that turnover in Congress is desirable, we already have a fair measure of it. Of the members of the House serving the 101st Congress in 1989, only 45 percent were serving in 1980, 19 percent in 1974, and 10 percent while Lyndon Johnson was president.[11]

But he fails to recognize or glosses over the fact that the overwhelming proportion of the turnover comes from voluntary retirement rather than from electoral defeat. For example, of the 435 members elected to Congress in 1972, only 122 would still have been in Congress in 1988 even if no election had been held, because 313 (over 70 percent) of the members retired during those sixteen years. This kind of turnover does not invalidate the observation made by Samuel Huntington. In fact, turnover by retirement is a career trait of an established, bureaucratized institution. Homogenization of the branches continues.

A more subtle aspect of homogenization is the tendency of professional, career staff people to think alike even when they disagree on conclusions. Professional staffers on the Hill, as well as in the agencies, revel in research, data acquisition, cost/benefit analysis. They move easily among jobs, from personal staff to committee staff to agency staff and back again; some even run for Congress. Even the district work done for members is different. Although more congressional staff time is being spent on work back in the districts, it is in place of the presence of the member, and it concentrates on polling, voter mobilization through computer-analyzed mailing lists, and on campaign finance activities. And the campaign finance activity not only focuses on political action committees (PACs). A high and increasing proportion of such campaign finance comes from outside the districts.

[10] Kenneth A. Shepsle, "The Changing Textbook Congress" in John E. Chubb and Paul E. Peterson, eds., *Can the Government Govern?* (Washington, DC: The Brookings Institution, 1989), 241-242.

[11] Thomas S. Foley, "Comment" in William H. Robinson and Clay H. Wellborn, eds., *Knowledge, Power and the Congress* (Washington: CQ Press, 1991), 38.

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Consequently, although there is an enhanced concern for the districts and for incumbent reelection, it constitutes a form of absentee representation.

Finally, gridlock, an inherent tendency in a separation of power system, allegedly was rendered even less tolerable by divided government, because it reduces the capacity to make the hard public choices and to fix responsibility for results. And here we get to the crux of the matter. Gridlock is the wrong name for a creeping incapacity to govern that the users of the term are probably trying to describe. Gridlock is not really what has been bothering the millions of Americans who repeat the term or who applaud its use by the critics and reformers. Gridlock is a verbal weapon to cover a host of frustrations for specific ills whose actual pattern or cumulative meaning has not yet been captured. I would like to try my hand at capturing the real pattern, and I will begin with the following question: If we have lived under conditions of divided government for most of the past forty-five years, why is it that we only began to hear about gridlock during less than the past ten of those years?

Once again, from the standpoint of legislative production, the system cannot be judged as working all that poorly. Who can complain about nearly 1,000 pieces of legislation passed per Congress? And virtually all of these are public bills, since the traditional member privilege of getting private bills passed has declined from nearly 1,000 per Congress to virtually 0. Moreover, even the number of important bills, including complex tax reforms and large substantive programs, find their way to passage. Does anyone suggest that the Reagan administration failed to get the essential elements of its goals through Congress? Given its minority status for most of the eight years of his Republican administration, Ronald Reagan sought as often as possible to get what he wanted by executive action, avoiding Congress altogether. But when he needed Congress for an important innovation, Congress generally gave him what he asked for. In the halcyon days before gridlock and without divided government, more was expected and there was more frustration with lack of delivery. James MacGregor Burns, an extremely capable member of the Kennedy political family, could publish a book in 1963 complaining about "the deadlock of democracy".[12] But the deadlock was eventually broken. Some believe it required the

[12] James MacGregor Burns, *The Deadlock of Democracy: Four-Party Politics in America* (Englewood Cliffs, NJ: Prentice Hall, 1963).

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assassination of John F. Kennedy and the uniquely effective legislative leadership of Lyndon Johnson. Others feel certain that eventually President Kennedy would have succeeded almost to the same extent. Either way, major policy innovations are always sporadic; they are not even cyclical, so that you cannot ever depend on something happening. Congress tends to have come through with the major elements of the presidential program.

Thus, in no conventional respect can one say that the present system, with or without divided government, has been a flop. On the contrary, from this point of view, it constitutes an effective response to my argument about homogenization of values and practices within a presidential democracy. Homogenization is far from complete.

However, one can take in the complete reality of the system only by looking at the content of what passes for legislative output in the discourse between president and Congress. If there is one established generalization about the content of legislation, it is vagueness. Statutes are broad and vague and ill-defined, left to the president and the agencies to substantiate. No one disagrees with this. Apologists for Congress do not disagree with it; they only stand up to explain why our complex society makes it impossible for Congress to do otherwise. Without realizing it, they are also conceding that the whole prospect of parliamentary democracy is passé. But they do confirm the assertion made here as to the content of the typical statute.

So well established is this fact that the Supreme Court never even bothered to reverse the decisions it made in 1935 that such broad and ill defined allegations to the executive branch are unconstitutional. This is legiscide, and legiscide is so close to complete, and executive lawmaking so legitimate, that here is now a growing industry of statutory interpretation. The cornerstone of this industry is the operating rule in the federal courts that constitutional issues should be avoided wherever possible, and, in that spirit, that statutes should be given an interpretation that can keep them constitutional. The federal courts have been joined in the practice of statutory interpretation by a number of important players. First, of course, there are the agency lawyers, who need to interpret the statute in whatever way is necessary to keep the agency alive and ticking. Second, there are the law professors, who are trying to keep jurisprudence up to date while teaching a new generation of lawyers to engage in statutory interpretation for agencies or for private clients dealing with agencies. More recently, they have been joined by a number of social scientists who are applying public choice economics to the task. This may be the most significant develop-

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ment, because here are people who have absolutely no interest to pursue and no ax to grind but are genuinely trying to make sense of the statutes as a test of the power of their model of human behavior. Their contribution to legiscide and to homogenization is all the more significant because of their very innocence of the place they now occupy in the development of presidential democracy.

Permit me to quote from an important recent paper by three leading members of this movement.

> . . . We propose a method for interpreting legislation that is grounded in a positive theory of the behavior of legislators and the president. This method can help judges and other interested observers *make use of the varied and often contradictory statements and actions by legislators and the president during the legislative process to infer the policy agreement that is embodied in a statute*. . . . If a judge or bureaucrat believes that the argument for implementing policy as was intended by those who created a statute is normatively compelling in at least some cases, then an interpretive method that uncovers this intention is useful. . . . [B]ureaucrats, judges and citizens who are directly affected by a statue need to have a reasonably accurate method of ascertaining the policy intent of a statute in order to respond rationally to it, *even if this response is something other than faithful fealty to original intent*. [They add], "positive theory can be used to determine whether a statute is intended to serve a narrow, private interest in the same way that it can be used to infer the nature of the policy agreement."[13]

In effect, these new statutory interpreters are trying to develop a means of legitimately creating laws from pure logic, in order to enable people to make laws even when they lack the constitutional authority to legislate. Let's not bother any longer to lament this. I have had my fill of derision in response to my twenty-five-year argument that we revive the *Schechter* rule.[14] I propose only to use this new industry of statutory interpretation as evidence that Congress is no longer a legislature—no matter how much legislative stuff it turns out. How far has legiscide gone? Far enough so that those who are doing the real law making and those who are providing them with the cover do not even appreciate the historic significance of what they are doing.

[13] McNolljast, "Legislative Intent: The Use of Positive Political Theory in Statutory Interpretation" (unpublished paper, 1993), 4–6. McNolljast is the nom de plume of Matthew McCubbins, Roger Noll, and Barry Weingast. (Emphasis added.)

[14] In *Schechter Poultry Corp. v. U.S.*, 295 U.S. 495 (1935), the Supreme Court held the NIRA unconstitutional on the grounds that Congress had delegated law-making power to the executive branch "unconfined and vagrant" without any guidelines or standards. This case has never been reversed but has rarely been followed. See discussion and proposal for revival in Lowi, *The End of Liberalism* (New York: W.W. Norton, 1969, 1979).

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Tempting as it is to dwell on these issues, we must proceed now to the contribution of legiscide to the homogenized regime. First, there is the old and revered hypothesis that broad and vague legislation renders an agency vulnerable to capture by the best organized elements among its clientele groups. This has been widely confirmed by case studies and has been immortalized in the literature on iron triangles, networks, and the like. But precisely because it is such a well validated hypothesis, it has been overblown and exaggerated. Some agencies have indeed been captured by their organized clientele. But the reverse is also true, wherein agencies can capture their own clientele groups. Either way, any balanced appraisal could sustain the argument that a fundamental aspect of the politics of administration is that agencies attempt to build supportive constituencies. To that purpose, Rule 1 is that the broader the delegated power under which the agency is operating, the more an agency-constituency relationship can be built and strengthened. Rule 2 would be that the stronger and more supportive the constituency, the better the agency can resist efforts to abolish it or even to cut its appropriation. Rule 3 would be that as more agencies succeed in this, the president becomes just as vulnerable to capture as Congress, because however strong his public support may be, it is too general to combat effectively the highly concentrated and specialized public support enjoyed by agencies with successful constituency relationships.

But I must go beyond practice to theory, through a key word in the vocabulary of the politics of bureaucracy: constituency. It has become increasingly accurate to analyze agencies as having constituencies. It is obviously a term that arises out of the theory and practice of representative government, and even though it has generally been used to indicate an electoral district with a voting relationship to its elected representative agent, it has become meaningful to characterize also the administrative agency as representative of its constituency, even though it is not literally a voting component. That is an important aspect of the homogenized regime.

All of this explains what America has been calling gridlock, which can better be characterized as the unresponsiveness of the government to changes in the economy and the society. Take the deficit. There is nothing intrinsically evil about government deficits, even big ones. A deficit is a tool of fiscal policy, comparable to a tax increase or a change in the discount rate. When President Richard Nixon asserted that "I am now a Keynesian," he must certainly have included accep-

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tance of the argument that budgets ought to balance over the whole business cycle rather than year by year. But when deficits mount regardless of economic conditions, then we can say confidently that we are confronting intimations of institutionalized incapacity to govern. The trouble with calling it gridlock is that gridlock implies that there is a single, definable barrier or obstruction, which, once removed, would permit the flow to resume. That is always the basis of reform. A single change can redeem the system: term limits, the balanced budget amendment, line-item veto, campaign finance reform, public finance of congressional campaigns, constitutional caps on congressional salaries.

Since so few of the reformers have stopped to reflect upon the unanticipated consequences of these reforms, it might help them to recall briefly the unanticipated consequences of some earlier reforms: campaign finance reform created the PACs; seniority reform produced political barons and entrepreneurs; committee reform produced subcommittees; regulatory reform created the Savings and Loan fiasco. Even if the goals of the new reforms could actually be met fully and quickly, and even if the unanticipated consequences could be taken care of if they should occur, these reforms would not meet our need, because at best all they accomplish is to make the present system work a little better for a little longer. If presidential democracy is the oxymoron I say it is, then reforms are worse than no change at all. Reforms either reinforce the system or they amount to a diversion from the real goal of replacing the system. To rid ourselves of that oxymoron, presidential democracy, we have to begin by conceptualizing its alternative. In the immortal words of e.e. cummings: "there's a hell of a good universe next door; let's go." But which door?

Discussion

Moderator: Demetrios Caraley

Bill Green: Neither in the long perspective nor as one who has recently been in the congressional trenches do I see things as Ted Lowi

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does. I hasten to add that I do not say that as one of those critical of Congress or because I favor some such nostrum as term limits. I do not favor term limits, and while there have been well known exceptions and some not so well known, most of my colleagues were bright, hard-working, and trying to serve the public well.

Starting with the long view, the executive branch was not in the early days of the republic so supine nor the legislative branch so dominant in nonmilitary matters as Lowi suggests. The nation's initial financial plan came from the executive branch in 1790 despite the fact that Article I, Section 7 of the Constitution gives to the House of Representatives the right to originate revenue bills. I refer of course to the program by which the federal government assumed the states' Revolutionary War debts, adopted tariffs with their revenues committed to a sinking fund to retire the debt, and to enforce the tariff created the Customs Service and its revenue cutters, which were ultimately to become the Coast Guard. How did the administration pass the bill in Congress? It agreed with the Maryland and Virginia delegations to back what became the District of Columbia as the permanent national capital if they would support the program. It agreed with the Pennsylvania delegation that Philadelphia would get a guarantee of ten years as the interim capital. It negotiated state by state as to just how much of the state debt the federal government would assume. That does not sound so different from today, does it?

True, this initiative came from Secretary of the Treasury Alexander Hamilton, not President Washington, and Washington's cabinet may have functioned more on the British model than our subsequent cabinets. But then, did the Marshall Plan spring full blown from the brain of, or was it even announced by, President Truman? But I need not stop with the Assumption Acts. President Jefferson's Louisiana Purchase and President Jackson's war on the Bank of the United States show that leadership on domestic issues was not beyond the pale for presidents during the first half-century of our Republic.

Thus I think Lowi's thesis is a much narrower one than he suggests. It is essentially about the rise of administrative law. Most historians would say that American administrative law began with the Interstate Commerce Commission Act of 1887, exactly a century after the writing of the Constitution, though Lowi is right that administrative law grew far more rapidly in the mid-twentieth century, starting with the New Deal. Indeed, when I was in law school in the early 1950s, most commentators viewed administrative law as a great governmental invention

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whose few problems had recently been solved with passage of the 1946 Administrative Procedure Act and which would provide faster and more expert resolution of controversies than was possible in Congress or the courts. It is certainly appropriate for Lowi to assert that the time has come to review that judgment, but it does not seem to have much to do with the issue at hand.

Administrative law and presidential democracy are not one and the same. True, some administrative law is made by presidential agencies—that is, those whose leadership is immediately accountable to and subject to firing by the president. Examples are the Labor Department's rule making regarding labor standards legislation and EPA's environmental rules. It is important to recognize, though, that in those cases the statutory delegation almost always by-passes the president and flows directly to the agency (". . . the Secretary shall . . ." or ". . . the Administrator shall . . ."). For example, the fiscal year 1993 Foreign Operations Appropriations bill provides that "the Administrator of the Agency for International Development shall instruct all Agency missions and bureaus to support all elements of the 'Global Warming Initiative' . . ." (H.R. 5368, 102d Cong., 2d sess.).

Probably much more administrative law is made by independent agencies like the Securities and Exchange Commission, the Federal Communications Commission, and the National Labor Relations Board. The latter are indeed quasi-legislative in their rule making and quasi-judicial in their adjudication. Their members do not serve at the pleasure of the president. Of course, they are not lifetime appointees, so a president, particularly one in office for two terms, can significantly affect agency membership—but only with the advice and consent of the Senate. It is difficult for me to see how, in terms of the relationship between the Congress and the president, a broad delegation to an administrative agency is much different from a broad delegation to the courts, as in the Sherman Act.

Both Congress and the president have had their problems with the administrative law process. Congress turns to administrative law when it feels all future problems cannot be anticipated, or, as Lowi properly points out, when necessary to avoid legislative gridlock. At least as to the former, I find Lowi's apparent unhappiness with the growth of congressional staffs inconsistent with what he wants of Congress. If Congress is to anticipate all the possible future problems that will arise in complicated situations so it can avoid broad delegations to administrative agencies, it is plainly going to take large technical staffs

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to surface all the issues—if in fact that is humanly possible. If Congress is only going to deal with policy directions, then smaller staffs are possible, but then broader delegation is inevitable. I hasten to add that I do believe congressional staffs can be cut. When the Republicans took control of the Senate in 1981, they cut Senate staffing 10 percent without any diminution in performance that I perceived from the other side of the Capitol.

But Congress, as Lowi points out, has not always been happy with the outcome of delegation to administrative agencies. In the late 1970s it turned to the legislative veto as a solution, only to be told by the Supreme Court in the *Chadha* case that that form of action was not authorized by the Constitution. So Congress can try an outright repeal bill, or when the president supports the administrative action and Congress cannot override the veto, Congress can try a rider on some other bill it hopes the president will feel compelled to sign. Often the rider will be on an appropriation bill and bar use of funds previously or currently being appropriated to enforce the offending regulation or ruling, thus leaving all sides to renew the fight next year.

But the White House has also been unhappy with administrative law. Successive administrations have tried to establish White House review mechanisms—within the Office of Management and Budget or like Vice President Dan Quayle's Competitiveness Council—at least to deal with rule writing within those agencies whose heads are under direct presidential control. Given that history, it is hard for me to conclude that the development of administrative law has changed the power equation between Congress and the president.

I must also take exception to Lowi's view of Congress as a place with few interactions among members and with most communication going on at the staff level. If I take away any perception of Congress, it is of almost constant member to member communication, not just through such formal mechanisms as committee meetings and party caucuses, but through a myriad of other groups: state delegations; legislative service organizations like the Environmental and Energy Study Conference and the Arts Caucus; prayer breakfasts; ad hoc "whip" organizations on issues as diverse as abortion, trade, and gun control; and on and on and on.

Before I conclude, as an alumnus of the Appropriations Committee I feel I must make a response specific to that committee. I do that not just because of loyalty to the committee on which I served for twelve years but because the power of the purse, for which the Ways

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and Means Committee and the Appropriations Committee share primary responsibility in the House of Representatives, is at the heart of legislative power. (Remember the battle between Charles I and Parliament over his right to spend money without parliamentary approval?) To demonstrate that that statement is no historical relic, I should point out that appropriation restrictions were how the Congress forced the nation out of Vietnam and how in 1992 it set a schedule to phase out nuclear weapons testing by 1996.

I do not think anyone reading a contemporary appropriation bill would think that Congress is guilty of the sin of overdelegation. Entirely apart from the large number of specific projects in individual member's districts that most such bills contain, they also are very detailed as to how other agency funds are to be spent. I might add that we did it with modest staffs. Let me offer as evidence the Veterans Affairs, Housing and Urban Development, and Independent Agencies Appropriations Subcommittee, where I served as ranking Republican member for twelve years. The subcommittee, consisting of nine members plus ex officio the chairman and ranking minority member of the full committee, is responsible for originating the appropriations bill for approximately 30 percent of the nation's domestic discretionary spending, more than $60 billion. In addition to the Veterans and Housing and Urban Development Departments, the subcommittee deals with the National Aeronautics and Space Administration, the Environmental Protection Agency, the National Science Foundation, the Federal Emergency Management Agency, and more than a dozen smaller agencies. I shall pause a moment to let you figure out how big a staff that subcommittee ought to have. It was four. In addition to those four, who were specifically assigned to the subcommittee, I pitched in one of the two extra staffers that I, like all Appropriations Committee members, was authorized; and the ranking minority member of the full committee gave us one of his six staffers half-time. The full committee had a substantial surveys and investigations staff; but they did not deal with day-to-day appropriations issues faced by the subcommittees.

Now, having done that little apologia for the Appropriations Committee but also emphasizing that Congress uses its power of the purse in very specific ways and with little delegation, let me conclude my response to Lowi. I do not think gridlock—or if Lowi prefers, "incapacity to govern"—relates to what we have been talking about at all. It refers to what the Clinton team saw as the heart of the 1992 presidential

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campaign: "It's the economy, stupid." And I believe it further relates to one component of that problem, and that is the perceived contribution of the ever-growing federal deficit to our economic problems.

Congress hoped in 1974 when it passed the Budget and Impoundment Control act that it would solve the then modest but chronic deficit problem by forcing Congress to vote on the amount of the overall federal deficit, something it had never had to do before. The assumption was that if members of Congress had to vote for deficits, their districts would never reelect them. Alas, it did not turn out that way. Members voted for ever increasing deficits and were, as Lowi has noted, easily reelected. In short, Congress learned that the public wanted the spending but was happy not to pay for it—at least up front. Essentially that is what happened from 1974 on, a series of budget agreements between presidents and Congress that spent today and promised to reduce the deficit tomorrow. Yes, there were hard fights along the way. Democrats wanted more taxes and domestic spending; Republicans wanted less. But there was no real gridlock; the one thing Congress and the president have to do every year is to tax, spend, and have a resultant deficit, balance, or surplus. The pseudo-gridlock was that both sides made cutting the deficit here and now a lower priority than their priorities on taxing and spending.

Since President Clinton's financial plan once again calls for spending now and cutting the deficit later, it is far from clear that having one party back in control of the presidency and both houses of Congress for the first time since 1980 has changed anything. Time will tell. (After these remarks were given, Congress, despite its Democratic majorities in both houses, rejected the Clinton short-run spending plan, so greater deficit reduction is being achieved.)

The above responds to Lowi's paper. Had I started *ab initio* to discuss our system versus a parliamentary system, Lowi's paper is not the path down which I should have gone. I would have acknowledged the allure of the parliamentary system, with its clear party accountability, at least when it is combined with a two-party system. But I would also have emphasized the fact that this is a large country with regional concerns that a parliamentary system might have difficulty reflecting, given the demands of party loyalty in a parliamentary system. I would have noted the role of state government in producing national leaders—three of our last four presidents were ex-governors—and asked how that would work in a parliamentary system. Some countries permit one to be both a member of parliament and a local administrator, but

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it is hard to see how that would work here, given the heavy workloads of both governors and members of Congress. Would bright people who under our system become governors instead stick with parliamentary careers to the detriment of state government? I would also ask how we should staff administrations if the political leadership could come only from parliament? We would lose many Robert Rubins and Roger Altmans (both New York investment bankers who play major Clinton administration roles), who add so much to American administrations. Could we create a British civil service in their stead?

JAMES L. SUNDQUIST: Ted Lowi makes it obvious he doesn't like the American presidential democracy—or Second Republic, as he calls it. He complains very vigorously about many characteristics of the system as it evolved. Suddenly he surprises us by saying "in no conventional respect can we say that the present system has been a flop." When he talks about the deficit, he goes into all the remedies currently being floated around and dismisses them, partly because they may have unanticipated adverse consequences. He concludes that instead of reforming the American presidential system we should replace it. But what the replacement would be and how installing it would avoid inadvertent consequences are left unexplained.

I am inclined to agree with Lowi in rejecting the question of which works best. The question is unanswerable. Parliamentary and presidential governments both comprise so many diverse types that you can't compare one cluster to the other. The parliamentary system of Britain, which has resulted in a two-party system with a regular alternation of parties, is a wholly different kind of parliamentary system from the one in Italy, which has had a series of short-lived coalition governments, all made up essentially of the same kind of people with no real alternation. Parliamentary governments on the continent that are formed from elections based on proportional representation are different from those created by first-past-the-post elections, as in Britain and its former colonies. Presidential systems differ similarly. At one extreme, the United States system, with its relatively strong legislature; at the other extreme one might place Mexico, where the president is all powerful and the congress simply acts as a sounding board for presidential policies. Somewhere in the middle is France with its peculiar combination of presidential and parliamentary features.

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The countries of Eastern Europe and Italy, which have been looking around for models, appear to be trying to combine the best features of parliamentary and presidential systems – as France did – rather than selecting between them. I don't know of one of the new countries that's adopting a pure parliamentary system. They want a strong president, and they also want a strong parliament, and they're coming out in some very strange combinations.

Recently, Kent Weaver and Bert Rockman set out to answer the very question that is the topic of this conference.[15] They proceeded to organize a series of case studies comparing the relative efficacy of one or more countries with parliamentary systems and one with a presidential system – invariably the United States – in coping with particular problems common to all governments. When the studies had been written, rewritten after being discussed in conference, and edited, Weaver and Rockman wrote a concluding chapter that said in effect, in answer to the question of which system works better, it all depends. In some cases, the parliamentary system worked better; in others, the U.S. system. In some cases, one system worked better at one time and the other at another time.

For instance, the case study on the environment concluded that once the parliamentary systems – in this study, Britain and Japan – decided to do something about the environment, they had the capacity to make bold and quick decisions that the United States lacked. When the environmental movement was at its peak in those countries, the parliamentary system worked better. Americans still struggled along incrementally trying to get things done. But once Britain and Japan lost interest in the subject and turned to other things, the U.S. system began to perform much better because of its separation of powers that provided multiple points of entry for the environmental movement to stimulate initiative and competition for credit. The environmentalists played Congress off against the president, and the United States made continuous, incremental progress during a period when other countries were stalled.

You have to ask which parliamentary system and which presidential system are you talking about. What are the criteria for what is good when you say which works best? Weaver and Rockman struggled over that for a long time but finally came up with a pretty good list of criteria.

[15] Kent Weaver and Bert A. Rockman, eds., *Do Institutions Matter? Government Capabilities in the United States and Abroad* (Washington DC: Brookings Institution, 1993).

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The characteristic of the U.S. system that everybody agrees on is that it is difficult to get things done. The president, the Senate, and the House, each independent of the other practically as well as theoretically, have to come together, which can often require an excruciating struggle. In contrast, in a pure parliamentary system, the branches come together automatically. Once the cabinet makes up its mind, that's it.

The United States would never be able to establish a national health service on anything like the British pattern or an insurance system on the Canadian model, even if a majority of the people thought something like either were desirable. There are too many points of veto in the U.S. system. Americans could not nationalize the steel industry, then denationalize it, and later nationalize it again. Of course, is that good or bad? Half the country would say they need a system to prevent such things from happening, and, therefore, the American system is better. But the other half, who may want things to happen, would say the parliamentary form is better, because things can be done. Is that government best which governs least, or not?

Generally speaking, liberals have looked nostalgically across the water at the British parliamentary system and said if Americans had a system like theirs, they could really use government for good and noble purposes. Conservatives have generally said that since governmental action is usually questionable if not outright bad, the presidential system is better, because it requires a long period of consideration and a high degree of consensus before anything can happen. Lately, of course, the conservatives have complained that the U.S. system doesn't permit their policies to prevail easily either. They are blocked by the Congress from dismantling the government as much as they would like. In essence, both sides would like a system that works smoothly when the president of their choice is in power; but when the president is one whose policies they oppose, they thank heaven for the checks and balances and the blessings of divided government.

I've been of the school of thought that says that divided government really has been at the heart of almost every problem you can name in the past twenty or thirty years in the U.S. system. For anything to happen, the three centers of power have to be brought together—the presidency, the Senate, and the House. The political science discipline has held for decades that the instrument for unifying the government is the political party, and that for the party to succeed requires strong presidential leadership, though not domination, to enact the party program.

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Under divided government—that is, a president of one party and one or both houses of Congress controlled by the other—these premises are all invalidated. The party cannot be the unifying force to tie the government together. If the president is tied through the party mechanism only to the minority, presidential leadership cannot become a fact, because the Congress is controlled by the opposing party. Leadership cannot exist without followership, and the members of Congress will never accept as their leader the head of the opposition party, whom they tried to defeat at the last election and whom they will strive again to defeat in the next election. Parties exist to oppose one another, and by their very nature they seek to undermine and discredit one another. In times of divided government, this healthy competition between parties is transmuted into a conflict between the elements of government themselves. The president and the Congress in the period of divided government that ended in 1993 busily undermined and discredited each other. The president spent his time blaming Congress for the deficit, and Congress in turn blamed the deficit on the lack of presidential leadership. When the people in 1992 came to make a choice in their one solemn, sovereign act of voting in the election, they could not hold anybody responsible, because in fact nobody had been.

Divided government has now come to an end, and some political scientists contend that it hasn't been all that bad. But they compare the functioning of unified and divided governments during the whole post-World War II period. During most of that time, what appeared to be unified government under Democratic auspices was in fact divided, because the Democratic party was so deeply divided. Congress was controlled in fact by a coalition of conservative Democrats and Republicans. Unified government under those circumstances was a mirage and can hardly be used as a point of reference in comparing unified and divided government.

But something has happened that should make unified government in the future quite a different phenomenon. The Democratic party has become much more homogeneous. The people who come out of the South to the Senate these days are no longer Harry Byrd, Jim Eastland, Spessard Holland, and Dick Russell—all of whom consistently voted with the Republicans. From the South now come people like Terry Sanford and Bob Graham in the Senate, not to mention Albert Gore. There are almost no Democratic senators left of that old die-hard conservative stripe, and only a score or so in the House. Bill Clinton lost only one Senate Democratic vote on his stimulus package.

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The Democratic party has never been that united in anybody's memory. So three elements may well make the system work in the immediate future: unified party government; a cohesive, homogeneous party; and a leader apparently with considerable political skill, which is a contrast from the last Democratic president, Jimmy Carter.

JENNIFER HOCHSCHILD: Governmental problems today are not a growing incapacity to govern, not a problem with institutional design—parliamentary or presidential—and not a problem with excessive bureaucracy. Americans have a different set of problems. One is the lack of a unified political will across the nation to solve problems, and the second is a lack of definition of what those problems consist of. I accept the general consensus that they are terribly complicated and messy. But this is a more purely political problem than an institutional, structural one.

I think there are at least five things that we as a nation or various people within the nation want. First, we want technical fixes; we want to get the details of legislation and of regulation right in order to solve the problem. We seek out the right way to manage national health insurance or regulate airlines so that we get enough but not too much. Or we try to find the right way to solve the educational crisis in schools by getting the right curriculum. If we can get more policy wonks out there, that is going to fix our problems.

The second desire is for the government to go away. We as a nation have traditionally said we don't want to think of technical fixes or any other political or policy issue. That government is best which governs least. A third thing we as a nation want at different periods in our own lives is some notion of democratic transformation, typically along the lines of empowerment. The current term is participatory democracy, hands-on involvement, or perhaps more responsive representatives. We don't want the government to go away, and we don't want the policy wonks to make policy for us; we want to participate. We want to be in power, we want to be directly involved, or perhaps we want our representatives to respond more or less directly to our wishes and desires.

The fourth thing that we as a nation or various among us want is redistribution. We want the government to redistribute goods. And

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of course we want that in lots of different directions. Typically we think of redistribution as being downward to the poor, to urbanites, to the elderly, to previously discriminated against groups, however one defines them. But we also want and get more redistribution to groups in society that make redistribution not necessarily downward: to children, to women, to college students, to the retirees. We take money from some part of the population and give it to some other defined part of the population.

And the fifth thing we want is to keep what we have—in terms of legislative outputs that affect our own economic or social positions, which we don't want the government to disturb. That might be related to our desire for independence from government: we want to keep what we have.

You can probably extend that list forever, or you could contract it, but let me start with these five and claim that the basic problem with government is that we want five different things from it. Some of the things that Ted Lowi is correctly complaining about seem to me to grow out of my set of potentially contradictory different desires. The growth of congressional staff, for example, is largely a response to a desire for technical fixers. We need data, more information, more ability to guess what the unintended consequences will be of any given legislation.

Incumbency seems to me a fairly direct response to desire number two, which is to make government go away. If we would spend a lot of time thinking elaborately about candidates and about the actual record of our incumbent member of Congress, we might have higher turnover. But we don't think about that very much. Name recognition goes a very long way when we vote. Except on the final passage of a very few pieces of legislation, we don't pay too much attention to the details of how Congress works, how alternative candidates arise, or what their legislative alternatives might be.

Lowi complained about excessive reliance on public opinion polls, some notion of term limits, or technical fixes. The first two of these seem to me to be responses to our third desire, some form of democratic transformation. Public opinion polls roughly reflect a notion of wanting our representatives to represent us directly. Trips back home, term limits, drives for initiative and referenda, and various other fixes seem to be responsive to our desire for more participation, more hands-on democracy.

PACs and regulatory agencies are often institutional responses to our fifth desire to keep what we've got or to get a little bit more for

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ourselves. I don't have a clear institutional manifestation of the fourth desire for redistribution. But I think that desire is manifested in the general process of legislation making. It is what legislation is largely about.

The problem is not within the internal structure of the way Congress works. We as a nation want a bunch of things, and Congress is in some sense or other responsive to those different desires. Perhaps some of the consequences we don't like, but there is a direct link between institutional design and my broad notions of political culture and preferences.

The presidential system also does a pretty good job of responding to these contradictory preferences. To be too schematic for the moment, Presidents Reagan and Bush most clearly responded to desires number two and five: don't think about government, don't deal with it directly, and keep what we've got. That seemed a reasonably workable cluster for a relatively long period of time. President Clinton is trying to express some combinations of one, three, and four: technical fixes, direct democracy, more participation, more populism in some form or other, and redistribution of some form or other. Arguably, the presidential system works relatively well in the sense that it reflects back to us our mutually contradictory or mutually different desires, which come in more or less intelligible clusters. It doesn't work very well in the sense of producing outcomes that make everybody happy. Desires number two and five worked together relatively well, but they eventually began to fall apart. Perhaps this was partly due to Bush's personality, but it was also a sense that keeping what we've got was beginning to conflict with not paying any attention to government. Sometimes keeping what we've got requires more government: to intervene to deny abortions or the possibility of abortion; to bolster failing industries; to keep potential Mexican or Haitian immigrants out of the country. It could require more government to do lots of different things, but there is eventually an internal contradiction between the desire to make the government go away and the desire to keep what we've got.

There is even more internal contradiction among the three desires that President Clinton is trying to embody. The president himself is not sure which of them he most wants to manifest. I think his constituency, to the degree that he's got a clear constituency, wants different things. We want technical fixes, but we also want more direct, participatory democracy; we also want redistribution, but it's not clear to

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whom we want to redistribute. Clinton is trying to hold all that together. I think he and the White House are internally conflicted in the same way as the nation. The presidential system works well reflecting back our own desires; but our own desires don't cohere into a single identifiable package.

We can also argue that Congress reflects these contradictory desires, not only in its institutional design in terms of staff or incumbency, but also in terms of individual members of Congress. It's easy to identify a given number who represent one or another of these five different sets of desires. But the congressional process of compromising and creating legislation is an effort of individual members representing these different desires to combine them coherently in some package.

These are not new contradictions within our nation; they're perennial. They obviously have taken different forms at different periods in our history. Compare politics today with the 1900–1920 era of Progressivism as a way of suggesting that these are long-standing traditional sets of mutually conflicting desires in our polity. Among the things about Progressivism that seem to me similar to today is enormous technological growth over a short period of history affecting all daily lives. There was an enormous expansion of the geographic scope of economic interaction. During the Progressive era it was expansion from small towns and local regions to the state and the national level. Now, of course, it's the move from the national to the international arena. Both in 1910 and 1990, middle-class Americans perceived scary masses of the underclass, unlike us in some visible sense, massing in our cities and threatening to destroy our cities and us. During both eras, we feel corruption in government, scandals generalizing to a mistrust of all politicians. We see moral degeneration across the society and a transformation of the role of women, which is perhaps connected with that feeling of moral degeneration. I see many economic, technological, political, and moral associations between the 1970s through 1990s and the first two decades of the twentieth century. The set of reforms that people turn to now look very similar to those people turned to in the Progressive era: institutional reform, redesign the electoral process, redesign the government structure, hire more policy wonks, devolve power back to the people through initiative and referendum, turn to third parties not clearly aligned with the far Left or the far Right but somehow manifesting a general discontent with the existing structure of party governments. In short, the five sets of concerns that I have described leading to dissatisfaction with governmental

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outcomes now also manifested themselves during the Progressive era and led to the same proposals for solution.

What can we do about solving these problems? One is perhaps a devolution to the states. I would not have made that argument a decade ago, but it does seem an interesting consequence of the Reagan administration and of general moves in the political arena. States are much more interesting political fora than they used to be. Maybe one way to resolve the problem of the growing incapacity to govern at the center could be a devolution back to the states, at least of some issues. We also need to think about dealing directly with moral as well as self-interested reasons for redistribution of a particular kind. We have plenty of evidence from public opinion polls, ethnographic research, and policy processes of the past that Americans truly believe in equality of opportunity and in the provision of tools to get it. What seems to me to have gone fundamentally wrong with the policy outcomes of the last couple of decades is where federal spending has gone for social welfare policies aimed at the poor. We have spent increasingly more on maintenance kinds of policies, such as Aid to Families with Dependent Children (AFDC) and homeless shelters, rather than on tools that actually would provide the equality of opportunity that the Americans claim to believe in—Head Start, summer jobs, infrastructure development, etc.

What we have now is an extremely dense set of policy arenas, which is a change from the Progressive era. We have a transformation of the economic system (again a change from the early twentieth century) so that there are fewer ladders of upward mobility. We have more claimants than we had at any point in American history; we also have the current consequences of previous efforts to deal with all these problems—increase in growth of staff and increasing complexity of regulation. I think we could devolve some of that governance downward, which seems to me directly in keeping with the presidential system. We don't need to move to a parliamentary system to do that. We could make the presidential system, at least the party system, more fluid and flexible in the way Ted Lowi describes. We could appeal more directly to one set of political values in the American populace and try to downplay others. We haven't done a very good job recently, or at least the Left hasn't done a very good job of appealing directly to values that are deep and underlying in the population.

I conclude by reiterating what Jim Sundquist has said: if we want to make the system work, it does pretty well; if we don't, it doesn't. This is not a problem of institutional reform; it's a problem of political will and political complexity.

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DEMETRIOS CARALEY: There is another incapacity of government. The American democracy to the extent that it works can deal best with problems felt by majorities such as the middle class. But it cannot deal easily with minorities who have serious problems and few resources, such as the urban underclass. Is there a systematic victim when you have deadlock? It is the people who need governmental services that suffer. If you don't need governmental services, if you don't need job training or food stamps, if you don't need better subsidized housing, if you don't need anything from the government, deadlock may be a good thing for you. What the Founders feared, as Madison wrote in *The Federalist*, No. 10, was that a majority of the poor would take over the system and expropriate the rich. But it has not worked that way in our democracy, which I guess says something good about our economy generally, because the poor have been only a minority and it is the middle class that is the majority and dominates the political system. But it does mean that if you live in or try to govern New York City, for example, you have big problems. Majorities in Congress and majorities who vote for president can largely ignore the needs of big city officials and big city dwellers including the urban poor, who don't cast a lot of votes.

GREEN: Someone from the audience asked the question of demand review—where instead of having various dates for various proposals you have an array of propositions on which you vote all at once. I am not sure I see how it would work between discretionary appropriations, which are initiated by the Appropriations Committee, and entitlements, which do not get voted on in the annual appropriations process. The entitlements include payments under the Old Age and Survivors Insurance program, the Disability Insurance Program, and Medicare, which are totally within Ways and Means jurisdiction. To some extent Medicaid is also, although that is shared with the Energy and Commerce Committee. Those programs are outside the annual appropriations process.

However, in a sense they do get voted on in the annual budget process under the 1974 Budget Act, since that is the occasion when a "reconciliation" could be forced on the Ways and Means Committee to reduce the entitlements it has created.

The Budget Act and the budget resolution process said to Congress: you will break down spending into nineteen categories and make your choices among those nineteen categories for the amount of spending that you're willing to do in the forthcoming year. Those decisions

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among those nineteen categories don't bind the Appropriations Committee, which makes the same choices among its thirteen subcommittees by adopting what was known as the 302b, since the 1990 budget amendments, the 602b resolution, which apportions the money among the thirteen subcommittees. Within each subcommittee, it's then a zero-sum game within the amount allocated to the subcommittee. The entitlements don't go to the Appropriations Committee, so it doesn't work as nicely with the entitlements. The budget resolution can require the authorizing committees, including the Ways and Means Committee, to make changes in the entitlement programs, and it can apportion the amounts of changes to be made to each of the authorizing committees. The Budget Committee has the authority to bring legislation to the floor to accomplish the changes if the authorizing committee refuses to do so. So there is some mechanism to make those choices.

I'm taken with the idea of weighted voting by members. It would certainly address the redistricting and reapportionment problems, because it would reduce the effects of packing all of one party in a district. But voting in minority districts is still not quite as high, although it is much improved, as it is in affluent suburban districts. Therefore, this would reduce the say of minorities. So I doubt that we're ready to weight voting. But maybe in the future, when minorities vote as much as majorities, this is an interesting way of dealing with the redistricting problem.

LOWI: "Reform" bores me to death, because I think it focuses too much as a knee-jerk reaction to things that are inconvenient at a particular time and tends to divert people from the bigger picture. My observations here will be an effort to convert into data certain conventional facts. I will try to interpret these facts in ways that may bring some new insights into how the system works and also what we might want to do about its problems. I don't think there are solutions, since political problems are not Chinese puzzles. I think a solution comes in the awareness of the problem itself.

In 1994 there are 30 million underfed but employed people who aren't getting any attention. They're angry. Nineteen million voted for Ross Perot, and they're mad. Congress's polling ratings are lower than they've ever been, and Congress bashing is at a dangerous level. How can we talk about how good things are and how well things work? There is a pattern of development that I call homogenization, where Congress looks an awful lot more like administration than it used to, and administrative agencies look more like Congresses than they used

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to. That's screwy. It helps to explain a lot of things including entitlements or the so-called rights revolution. Once Congress passes an act phrased in high-flown rhetoric and turns it over to agencies to implement there is a proliferation of rights language. Everybody can assert they have a right to the outcome. For example, when Congress passes broad enabling legislation that says let there be clean air in ten years, or there will be equality of incomes or opportunities in ten years, Congress is legislatively conveying a right to that outcome. For anybody who wants such an outcome, their right has been deprived unless the air is clean by the deadline. That is an example of the kind of distortion that we erroneously refer to as gridlock. Quite incorrectly, gridlock implies that there is a specific barrier, which if overcome would solve our problem.

I have the same problem with "give us a better party system." I'm completely in sympathy with Jim Sundquist. But let's recognize that the two-party system is not working. Almost nothing about the governmental system—whether we have divided government or not—is working, precisely because the party system is no good. Each time we've tried to reform the party system, we've produced the opposite of what we wanted. When we reformed the rules about the Democratic National Conventions after 1968, we made certain that the person who just got the nomination could never get it again.

The 1973-1974 campaign finance reforms were intended to strengthen the party system but instead gave us the scourge of PACs. PAC financing made entrepreneurs out of individual members and also created a system of absentee representation, since almost all PAC money comes from outside the district.

Those are examples of homogenization, as the legislative and executive institutions grow alike. It's happened in Europe as well. We have to change the agenda by which we think about these things and look at facts anthropologically. What does a fact mean for the system at large? What does the next trillion dollars of debt mean for the system at large? What does it mean that the deficit is unresponsive to the economy?

Jennifer Hochschild mentioned the Progressive period. I think it is a very worthy comparison; there are a lot of parallels. Progressivism was an attack on party politics in favor of direct democracy, and it succeeded. It was an attack in favor of specialized administration, and that succeeded. But remember what the specialized administrator was: the neutral administrator, not just a specialist. The whole theory in-

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cluded neutrality, because responsiveness to elected superiors was the way Woodrow Wilson and others sought to make the Prussian bureaucracy adaptable in the United States. Progressivism did in fact succeed beyond its wildest dreams. It was anti-working class, because the parties were very much based on the working class. It did a lot to both technocratize and democratize our administrative system, and it helped prepare the way for our homogenized republic.

The progressives who became liberals in the New Deal were those who brought us the system whereby they could justify vast grants of power to the administrative agencies. How much better our democracy would be if we just turned the whole goddam thing over to the administrative branch! That's what Harvard Law School was teaching, of course, because they were harbingers of the Progressive attitude that administrative agencies are just as good at representation as an elected Congress. But I would like to embrace one feature of the Progressive movement and say yes, let's make a genuine regime change by forming a third party in a genuine three-party system. Let's not reinforce the system that we have now. A new republic could happen with a change of party system. We've been sub-optimizing with a two-party system for years. We've been blinding ourselves from the fact that we have a system of two competing one-party systems, not a real two-party system. We could revive party government and reinvigorate our system with parties that genuinely compete with each other in elections.

SUNDQUIST: I sympathize with what Jennifer Hochschild has to say about devolution to the states, but I think as a cure-all to our problems it has very strict limitations. We didn't deal effectively with many of our national problems until we took them away from the states. I'm thinking particularly about civil rights. It may be safer now to devolve questions of race relations to the states than it was twenty or thirty years ago, but I would still have my doubts whether the federal government ought to wash its hands of that. Too often during the Reagan-Bush period, when the federal government devolved something to the states, it didn't mean devolution at all. It simply meant abandonment.

On the question of a third party, I go in the opposite direction from both Lowi and Hochschild. We have a hard enough problem uniting the government now, when the president has his party as a majority in Congress. If a third party elected a president—for instance, Ross Perot, with no party of his own in Congress and both parties against him—the chances of success would be close to zero. Our two-party system has worked very well because it is so permeable to third-party

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movements. When there has been a genuine ideological or programmatic basis for a third party, such as was the case with the Populists it the 1890s and the States' Rights and George Wallace parties based on segregation in the 1940s and 1950s, third parties have come into being. But invariably the platform of each such party has been adopted by one of the major parities, and that served the purpose of its leaders and followers, and the third party died. (The Republican party, which began as a third party in the 1850s is, of course, the one exception.) Third-party movements have kept the two-party system alive, but I cannot conceive of a successful third-party government. There has to be some feeling of shared stakes between the majority in Congress and the president in order for them to develop cohesive and effective policies together. Luckily now, on Capitol Hill, as distinct from the country at large, American parties are stronger than they have been for decades. The president and the Democrats in Congress do have a sense of shared fate. The legislators know they are going to stand or fall with President Clinton; so they are inclined to support him, and he is inclined to compromise with them. Together they show considerable signs of cohesion.

HOCHSCHILD: I agree about the devolution question and the third party. I think of devolution as a dangerous weapon in the wrong hands but a useful tool in the right hands. It needs to be thought of very carefully in terms of particular policy areas, in terms of the relationship between responsibility and authority. I think third parties are much more effective as a way of stirring up the political process, encouraging political participation, and forcing items onto the agenda than they would be as a serious government structure.

What we need most is not a reform but an appeal to the moral instinct of the American public. Moral connections are out there, but they have somehow been at best downplayed and at worst dismissed as mere sentimentality, mere liberalism, mere softness. There is a very persuasive, powerful argument for combining appeals to self-interest, whether for individuals or the nation as a whole, and appeals to being true to our deepest shared values. Such a combined appeal would take us further toward some set of outcomes that most of the nation would be able to support and move us furthest away from gridlock. So my bottom line is less a proposal for any of these institutional reforms and more an appeal to our values in combination with our sense of self-interest, collectively as well as individually.

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LOWI: Just to correct the record. Ross Perot is not a party. He was one guy running for office, and he does make certain points that influence the other two parties. A party is an organization that runs candidates for lots of offices and does not have to win the presidency. When I talk about a third party, I mean a party that runs a hundred to two hundred candidates for Congress, gets a few of them in office, manages to pose a terrifically threatening confrontation to the two major parties as far as winning the presidency is concerned, and forces a change in the way we strategize about the majority in the presence of a genuine party. It would strengthen the other two parties. I'm not talking about bullet candidates who run for office like Strom Thurmond or John Anderson.

CARALEY: With respect to unified party government, I would argue that since the Great Depression, we've had de facto, as opposed to nominal, one-party government in the White House and the Congress only in the years 1933–1937, 1965–1966, and 1977–1978. In those years there was no deadlock, no stalemate. What the presidents and congressional democratic leaderships wanted, they got through.

For the rest of the sixty years, party control between the president and at least one house of Congress was split, or there was only the appearance of unified party control as now, by the Democrats being able to elect Democrats as Speaker and president pro tempore and as chairs of the standing committees. There was also the aberration of Republicans having control of both the presidency and Congress for the first two years of the Eisenhower administration, 1953–1954. But in the years that the Democrats had only nominal control, there were enough defections from among the southern and some western Democrats that the president and the Democratic leadership had no assurance they could control the outcome of floor votes. When John Kennedy came to office in 1961 with a nominal Democratic majority of 263 to 174 in the House, he tried to get the composition of the House Rules Committee changed just to be able to get some of his planned legislation to the floor for a vote. This required a full-court press including having the venerable Speaker of the House Sam Rayburn leave the chair so that he could personally argue for the change during the debate preceding the floor vote. Even though Kennedy and the Democratic leadership won, the margin was so close—five votes—that Kennedy told his aides that most of the legislation he intended to propose was dead. The distribution of seats between Democrats

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and Republicans now in the Clinton administration is about the same as it was under Kennedy.

GREEN: I'd like to deal with one case: how does one get the majority to be for programs like job training that the minorities need. Job training programs illustrate many of the themes we've been talking about. In the late 1960s and early 1970s, there was a very strong national will to move ahead with job training programs. We had the Manpower Development and Training Act, followed by the Comprehensive Employment and Training Act. We were spending substantial amounts of money on those bills. As I recall when I got to Congress in 1978, it was about $13 billion a year for the Comprehensive Employment and Training Act. When I got to Congress, there were two to one Democratic majorities in the House and Senate. But there was a perception that these programs weren't working, and that there was a service delivery problem. There was a good deal of devolution in the programs, because they were given to the states and the cities to operate. The perception was that the cities viewed the public employment training half of the program as some sort of informal revenue sharing with the cities and that the cities were not really training those "trainees" to get private sector jobs after eighteen months on the municipal payroll. Congress with two to one Democratic majorities in 1978 cut the program in half. When Ronald Reagan came, there was little opposition to ending the program and replacing it with the current Job Training Partnership Act. The requirement under the Job Training Partnership Act was to get a much closer relationship with the private sector and train people for jobs that the private sector would actually have out there at the completion of the training. But there has been a skimming problem, overreacting to the failures of the previous program. The new program did not want to fail, and so took only the best people, those nearest the capacity to take jobs. The so-called underclass was pretty much left out of the program. That may illustrate one reason why we have this incapacity to govern, this gridlock.

We've tried many things that haven't worked; naturally there is a reluctance to try them again. How can we deliver these services in ways that will both be effective and perceived by the public as being effective? That's essential if the process is to continue in a democratic society. I guess that too is a reason for devolution to administrative agencies, even if I don't see those administrative agencies as tools of the presidency. The feeling is that you can't really get it all right at once in a congressional enactment. You really have to feel your way

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as you administer the program and deliver the services to try to get it right. Things really are more complicated than they were in the good old days. The feeling of dissatisfaction comes because the public sees things that have been tried and haven't worked, and rightly perceives that we haven't really got a good handle on things.

RAFFAELLA Y. NANETTI: In the United States in particular, we cannot say with any accuracy that most of our social policies have not worked, simply because we haven't really measured them. We haven't given them a chance to work. I think any truthful analysis of social programs dating back from the 1960s shows that our system does not allow those programs to be optimally or even adequately financed. How can we say the programs did not work when we always underfunded those programs? We adopted them on an ad hoc basis for a very short life span. When you fund a program on a one-year basis and you always try to get financing for two or three years, there is very little you can say about the outcome of the program. In terms of redistribution, it seems to me that one of the structural obstacles is that we are unable to fund long-term programs.

GREEN: Let me quarrel with you to some degree. The public housing program has been on the books since 1937, and the federal commitment initially was forty years of debt service, not a one-year commitment. We got into a situation where the program did not work as expected. The occupancy of public housing changed from the working poor, upwardly mobile to a low-income welfare population. Then Congress in 1968 started a program for operating subsidies for public housing at $30 to $60 million a year. It's now $2.4 billion a year and has been moving steadily upward. I will take a good bit of responsibility for that, since it was my number one priority on the VA–HUD Appropriations Subcommittee, because New York City has a lot of public housing. I also spent the last two years as cochair of the National Commission on Severely Distressed Public Housing, so I had an opportunity to see examples of what had gone wrong with the program. Service delivery is plainly the key in this case. You have very good housing authorities like the New York City Housing Authority, which I think has a wonderful program, though it is certainly not without problems. There are other

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housing authorities that are a dumping ground for the local political system; management is poor and you have a shambles.

A lot of these programs had long runs. For example, the Comprehensive Employment and Training Act program, if you tack on the predecessor Manpower Development and Training Act, had run about ten years when Congress decided to cut it in half in 1978. So I think that the problem is more complicated than just a matter of how long the program has run.

HOCHSCHILD: Many social programs for redistribution have been enormously effective. Think of the GI Bill, mortgage subsidies, and highway development for suburbanization. Think of Social Security, student loans, farmers' subsidies. These are effective systems of redistribution. What we're not very effective in doing is redistributing downward, to people who are either poor or who are of a distinct racial minority. The amount of money we spend on redistribution is very great in the the United States. But it is not very successful in providing the true tools for equal opportunity, which we all claim that we believe in. Job training was, on balance, underfunded and lasted for only a short period of time. The perception that it didn't work was much greater than the actual facts of malfeasance or ineffectiveness. It was widely oversold by its proponents in order to get anything passed at all, which made it vulnerable to exaggerated (often correct) criticism. But we don't have to eliminate a flawed institution. We can try to fix it. After all, we have banking scandals, but we don't eliminate banks. Nobody thinks the Federal Trade Commission (FTC) works, but we don't eliminate the FTC. We have made a series of choices that violate at least one set of our own deepest held values. I don't think it's an institutional problem; it's a political problem.

CARALEY: By the way, a very effective redistribution has been going on for a long time in which through tax expenditures we allow people to take tax deductions for interest on the mortgage and for local taxes for their first and second homes. This means that the benefit is the greatest the richer you are and the more expensive housing you have. No one has been able to change this, even to reduce it to just the first home. Some things are being done very effectively to redistribute from the poor to the rich. Probably most of us in this room benefit from these tax deductions.

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ITALIAN
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The Italian Particracy: Beyond President and Parliament

MAURO CALISE

Comparisons between presidential and parliamentary systems are a baffling topic for political science, both in method and substance. Substantial results are scanty, in spite of recurring systematic attempts to chart differences on various grounds. Disappointment, yet, is even greater if one considers the method being commonly used, which is legalistic in its basic premises. Again, in looking at the higher echelons of the governmental process, political science takes too much notice of its formalistic antecedents.

This is not to say that presidentialism and parliamentarism should be considered as empty shells. Several useful analytical distinctions can be made and a few, albeit tentative, conclusions have been drawn.[1] Yet, they all share one major limitation: in spite of tremendous changes brought about by the rise of democratic government over the last fifty years, the distinction between presidential and parliamentary systems

[1] Juan J. Linz and A. Valenzuela, "Presidential or Parliamentary: Does It Make a Difference?" in Linz and Valenzuela, eds., *The Failure of Presidential Democracy* (Baltimore: Johns Hopkins University Press, 1994), vol. 1, 3–87; Matthew S. Shugart and John M. Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics* (Cambridge, England: Cambridge University Press, 1992); Kent R. Weaver and Bert A. Rockman, eds., *Do Institutions Matter? Comparing Government Capabilities in the U.S. and Abroad* (Washington, DC: Brookings Institution, 1993); Thomas A. Baylis, *Governing by Committee: Collegial Leadership in Advanced Societies* (Albany: State University of New York Press, 1989); G. Bingham Powell, *Contemporary Democracies: Participation, Stability, and Violence* (Cambridge, MA: Harvard University Press, 1982).

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remains firmly grounded in the nineteenth-century constitutional tradition. Legal formalism is aggravated by an historicist bias.

Both presidentialism and parliamentarism reflect a stage in political development when the organization and the legitimation of government concerned a restricted number of people. This made the rules of the game simpler and to a large extent more predictable. The form of government as laid down in the constitution could be expected to bear close resemblance to the actual governmental process. Constitutional principles concerning the organization of powers were not abstract norms but real working procedures for the very reason that they could be much more easily enforced; or, if you prefer, it was a good deal harder to violate them. In the age of mass politics, the relationship between the constitution—be it presidential or parliamentary—and its working has become much more controversial.

Mass politics has brought new actors into the governmental arena, with their own specific connection to the process of legitimation and executive organization. Yet an old name—parties—has been used to designate these new actors and this has created some confusion at least on constitutional grounds, where parties have continued to be perceived as a divisive force in respect of the governmental unity that the constitution had to preserve. Thus, while the novelty and relevance of parties have been widely accepted by modern political science, to the point of considering government by parties as an equivalent for democratic government, the role of parties has barely entered constitutional theory, let alone written constitutions, where they have found at best a very marginal place.[2] How then can political scientists deal with the influence of parties upon the whole governmental process if one accepts as the criterion for classifying political regimes the orthodox constitutional law distinction between parliamentarism and presidentialism?

For all these reasons, I feel compelled to move somewhat beyond strict allegiance to the conference's title. In analyzing the first Italian Republic, I shall disregard the conventional classification of Italy as a parliamentary regime and introduce a third type of governmental system that in my view can best account for the main achievements and shortcomings of the post-World War II period. The name of the third type is one that has appeared in thousands of newspaper headlines and myriad public debates. Italy is neither a presidential nor a parlia-

[2] Vernon Bogdanor, ed., *Constitutions in Democratic Politics* (Aldershot, England: Gower, 1988).

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mentary regime: Italy is a particracy, a term that, much as it might appear self-evident, calls for some specification.[3]

Indeed, while the use of the term is so widespread to make it an obligatory choice, its meaning remains very approximate. Literally, particracy stands for government by party, that is "a form of government in which the political parties are the primary basis of rule. Thus, if democracy refers to a form of government in which the 'people' rule, and aristocracy refers to a form of government in which governing power resides in an upper class, then party government should be called particracy. In brief, party government is a form of government in which one or more parties hold a monopoly of access to government personnel, government resources, and government policies."[4] Does this mean that we can then use particracy and party government as equivalent terms in political science as well?

The answer is no, for the simple reason that the doctrine of party government is a mere evolutionary step within the parliamentary tradition. If particracy has to be conceived of as a form of government in its own right, we cannot just rely on a conceptual framework where party government is little more than perfected parliamentary government. Over a century after Walter Bagehot's seminal definition, party government's rationale is still that legislatures, by means of cohesive parties, are able to exercise their governmental functions in an orderly manner. The role of parties remains the limited, albeit crucial one of eventually transforming parliamentary government from an oxymoron into a working institutional setting. Indeed, in the British tradition, party government and parliamentary government are considered synonyms. Does anyone dare to apply to Westminster the stigma of particracy?

This points to a second specification as to the use of particracy in this article. In common parlance, particracy has a strong derogatory connotation, in a vein quite similar to that which in the past portrayed democracy as the government by the *demos*. Particracy thus implies that parties are bad governmental actors. In laying out my definition of particracy as a form of government, I'll do my best to stay off

[3] The natural translation for the Italian neologism, *partitocrazia*, would be partitocracy. Both Percy Allum and Joseph LaPalombara objected to this form of ethnocentrism and proposed partyocracy. Giovanni Sartori noted that it sounded right but wasn't right. I eventually agreed on his purist proposal: particracy. Readers are welcome to propose their own variants.

[4] Theodore J. Lowi. *"Governo di partito e regime presidenziale"* in Mauro Calise, ed., *Come cambiano i partiti* (Bologna: Il Mulino, 1992).

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what I consider improper grounds. Not that prescriptive considerations should be avoided: just as presidentialism is often condemned for fear of the concentration of executive power in the hands of one individual and parliamentarism can be dismissed for fear it turns into assembly government, particracy, as we shall see, has its own pitfalls. These should not however be confused with the antiparty feeling on which most biased definitions of particracy are based.

Last but not least, in making a case for particracy I am not just making the Italian case. Italy may well stand out as an ideal type for particracy, but only in the sense that the United States and Great Britain remain unmatched precedents for presidential and parliamentary governments. After all, most comparative models are "single country extrapolations."[5] My intent here is to present a more general argument that, while suited to the Italian republic, should also allow for a broader insight into the relationship between particracy and presidential or parliamentary government.

Particracy Defined

Particracy is a form of government where a party holds monopolistic control over the governmental process, just as presidents and parliaments are supposed to do within their own regimes. How governmental control is gained and exercised are then the questions that need to be addressed. In answering these questions, I'll abide by some of the main criteria commonly used in classifying presidential and parliamentary governments.[6] This will allow a closer analysis of both departures and commonalties. However, I shall also introduce new criteria that are seldom considered in orthodox constitutional law and yet appear to be crucial when describing particracy. As one would expect, parties brought some new wine to their government.

One first distinction between presidentialism and parliamentarism relates to the means of popular legitimation of the chief executive officer, which is by direct election in the case of the president and indirect election through the legislature in the case of the parliamentary cabinet. Distinction between direct and indirect election is important,

[5] Hans Daalder, "The Comparative Study of European Parties and Party Systems: An Overview" in Hans Daalder and Peter Mair, eds., *Western European Party Systems: Continuity and Change* (London: Sage, 1983).

[6] Aarendt Lijphart, ed., *Parliamentary versus Presidential Government* (New York: Oxford University Press, 1992).

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because it pertains to a classic dichotomy of democratic theory and also has some relevant implications in view of the plebiscitarian tendencies of electoral politics in the era of mass communications. How does particracy fare in this respect?

In a particratic regime, selection of the head of government is to a large extent an extra-electoral affair. While electoral competition remains crucial to qualify particracy on democratic grounds, it does not necessarily bear a close incidence—either direct or indirect—upon the choice of the chief executive. The head of government is selected through intraparty procedures that reflect intraparty organizational concerns. Thus, the person who eventually leads the government may well be, electorally speaking, the most popular one in the country. In the actual governmental process, party designation makes that person no more than a high ranking politician in a party hierarchy where the secretary occupies the top position.

Yet, direct or indirect election of the head of government is in the case of presidential and parliamentary regimes not just a matter of selection procedures but also one of popular legitimation. Indeed, by making the selection process coincident with the ballot, both regimes acquire popular legitimacy at the very and only time when they acquire electoral votes. How does a particratic government acquire its own legitimacy if the electoral channel only offers limited indications? The answer is through party channels. It is the party organization that reaches out into society and conveys to the governmental officers the main inputs for their action. Extra-electoral legitimation for the particratic government works in two respects: it concerns the selection procedures, which do not coincide with the ballot; and it also regards the timing of the relationship between the government and its electorate, which is not a winner-take-all event but a continuous party-mediated interaction.

A second basic distinction between presidentialism and parliamentarism concerns the relationship between the executive and the legislative branches. Indeed, direct popular election of the president is all the more important, because it is for a fixed term and there is no way that a legislature under normal circumstances can force a president to resign. With parliamentarism, the head of government is responsible to the legislature that elects him and can be dismissed by a vote of no confidence. There is one major implication arising out of this distinction: executive stability, which is a postulate in presidential regimes, is a much more uncertain achievement in the case of parliamentary

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government. Yet stability has its own reverse side in the fact that it may entail rigidity: a president secure in his office might be less willing to cooperate with the legislative branch. This is all the more likely if one considers that in presidential regimes, separate election—and legitimation—is a strong incentive for presidents and parliaments to become two separate branches, or to remain what they were supposed to be according to eighteenth-century constitutional theory.

Particracy has its own solution to the problem of engendering stability without rigidity and institutional deadlock: fusion of powers. In a particratic regime, both the legislative and the executive branch are dependent on party organization for their electoral support, as well as for recruitment of the political class. This means that the people sitting in both governmental branches are party people in the first place, and legislative or executive officers only as a result of their party's choice. Party is, therefore, the place where the fusion of legislative and executive power takes place. Of course, stability will only result from the fusion of powers process if the party is stable in its power—that is, if on both electoral and organizational grounds it is able to transfer to the governmental branches a firm political direction.

I am singling out the fusion of powers as a criterion for particracy, though I am perfectly aware that its practice is often indicated as a distinctive feature of parliamentarism. Indeed, this is the point where the doctrine of parliamentary party government comes closest to particracy. Party cohesion can eventually transform a once loose and undisciplined assembly into an orderly majority with both the right and the capacity to master the executive branch. At this point, the formal institutional distinction between executive and legislative branches gives way to a political continuum. Why should the party in cabinet behave in a different manner from the party on the assembly benches?

While particratic fusion of powers can well find its parliamentary rationale, it also has a presidential version. Indeed, the only way to come to terms with institutional deadlock in presidential regimes is to have the same party's firm grip on both governmental branches. In this case, in spite of a formal institutional separation reinforced by different electoral channels, we find an informal network of party people and party routines bridging the gap between the executive and the legislative. Presidencies, too, can be particratic in regard to the fusion of powers criterion. While fusion of powers through parties is not specific to either presidential or parliamentary regimes, it only represents a viable solution if the party is strong enough to master

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both institutions. We might conclude that presidentialism and parliamentarism both tend to verge on particracy when it comes to the relationship between the legislative and the executive branches.

Finally, a third widely used comparative criterion is the distinction between monocratic and collegial executives. Against presidential, one-person government stands the collective decision-making process of parliamentary cabinet government. Indeed, this distinction is much clearer if we look at the presidential side of the dichotomy, where the president enjoys indisputable leadership over a cabinet that he has appointed and that lacks electoral legitimacy. In the case of cabinet government, the degree of collegiality varies considerably according to the prerogatives and personality of the chief officer. Chancellor, prime minister, president of the council of ministers are all different definitions for different power positions from first above unequals to first among equals, which represent a continuum from more to less monocratic leadership within parliamentary government itself.[7] On the whole, monocratic leadership appears a substantial feature of parliamentary government as well, although we do find here some place for collegiality that is lacking in presidential regimes.

Particracy, instead, is straight collegial leadership. Individual leadership, as well as individual responsibility, is seen as a threat to party cohesion. Indeed collective decision making within the cabinet also stems from the special relationship between the prime minister and his party, which is one of subordination. By downplaying any personal role within the cabinet, more room is left for behind-the-doors decision making with party influence becoming the determinant factor. The extreme case for particratic collegiality is when institutionalized summits are regularly held among party leaders and the cabinet's most prominent officers to decide governmental affairs.[8] In this case, party authority and cabinet authority are merged into a new collective body, the true site of particratic decision-making.

After considering particracy in the light of the three most widely used criteria in the comparison between presidentialism and parliamentarism, I shall now move on to the innovative attributes of particracy as a form of government. This is not to say that they cannot be found in presidential and parliamentary regimes. As with most

[7] Giovanni Sartori, "Neither Presidentialism nor Parliamentarism" in Linz and Valenzuela, eds., *The Failure*.

[8] Annarita Criscitiello, "In-and-out of Government Decision Making: The Majority Summits in Italy, 1970–1990," *West European Politics* 16 (1993).

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attributes of the two older types that cut across each other's boundaries more often than classificatory logic would suggest, also particratic specificities can hardly be considered prerogatives. However, scale and degree should be sufficient for a preliminary interpretation.

Particracy is strongly associated with an unrestricted spoils system. Here I know I am not breaking new grounds, for this is indeed unanimously regarded as a distinguishing—if not distinguished—trait of particratic regimes. Yet what is really new about the practice of the spoils system in the exercise of governmental authority? We all know how patronage has long characterized the state building process on both sides of the channel, and clientelism and nepotism are still today considered the inevitable compromise for any effective administrative establishment. The difference with the particratic spoils system is that it is no minor spillover, but one of the major pillars of the whole governmental system. In fact, the spoils system can be considered the true rationale of a particratic form of government, as it brings together the electorate, the party organization, and the executive branch in the name of democratic theory.

While in the past a partisan use (and misuse) of governmental resources would be considered a private interference into public affairs, a particratic spoils system can be presented as a way—if not necessarily the best one—to make sure that the democratic game is respected: to the victors belong the spoils. Besides, democracy is in this case a substantial rather than a formal business. By means of an unrestricted spoils system, particracy brings to the fore its own idea of a democratic state—one where the bureaucrats as well as the domain of state intervention must be as close as possible to the electorate. Andrew Jackson's doctrine of simplicity may sound a bit naive as a manifesto for particracy's present achievements, yet its principles are still there: it is not just for the people but by the people in the first place that the spoils system is perpetrated.

We thus find another attribute of particratic regimes that marks discontinuity with the past: the move from responsible to responsive government, "a government which is required to yield to demands."[9] One should add: *any* kind of demands. Democratic party government contains little discriminating power when it comes to the imperative of satisfying growing popular demands. The spoils system that was

[9] Giovanni Sartori, *Parties and Party Systems* (Cambridge, England: Cambridge University Press, 1976), 22.

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originally conceived as a premium for a handful of office-seekers can thus be transformed into a gigantic political machinery. The place of the Leviathan is occupied by a benign monster with no other aim than the welfare of its citizens, under the one and only condition that the citizens do actually know what their welfare looks like.

Indeed, the particratic spoils system is unrestricted except by its own responsiveness. Responsibility is an exogenous issue, much as one might consider it absolutely necessary. There have been several attempts to combine both principles, the most noted being the "doctrine of responsible party government."[10] According to this doctrine, parties in power will behave responsibly because they fear the judgment of the electorate, which will punish irresponsible behavior. Yet, if the judgment of the electorate is a sound one in the first place, why worry about unresponsiveness? Indeed, the principle of responsibility presupposes a certain degree of political autonomy on the part of decision makers, which is at odds with the particratic ideal that government responds to the people, at their best as well as at their worst.[11]

One last attribute of particracy needs at this point to be mentioned—illegality. I am not stating that particracy is illegal by definition: it just has fewer incentives toward legally confined behaviors; even more, it is continuously urged to move beyond the legal threshold. Partly this is a consequence of some attributes indicated above. Take extra-electoral legitimacy, which subtracts political pressure from the limelight of electoral day and creates new channels for transforming private demands into public goods. Or take the fusion of powers between the legislative and the executive branches, which replaces the checks and balances of self-steering institutions with a decision-making continuum, where it becomes increasingly difficult to set limits on party power. Finally, consider the spoils system: not just a means for violating existing codes of behavior—a sin of all political regimes—but a rationale for making the democratic dream turn into its own nightmare.

However, I am not making here a prescriptive point. Much as one should consider legality an important resource, it remains one among many others. From a systemic perspective, legality is a moving boundary: it is vital for system maintenance only as long as it is not transformed into a fixed, self-referential barrier against political change. After all,

[10] A. Ranney, *The Doctrine of Responsible Party Government* (Urbana: University of Illinois Press, 1962).

[11] A. H. Birch, *Representative and Responsible Government* (London: Allen & Unwin, 1964).

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one might be prone to view the special relationship between particracy and illegality as an outgrowth of the tremendous impact of mass politics on the constitutional heritage. Should we be surprised that the governmental incorporation of the masses by means of a particratic regime would imply some kind of imbalance between human desire and its constraints? It's time to move from classification to description and on to questions of evaluation.

PARTICRACY, ITALIAN STYLE[12]

To what extent does Italian particracy fit the model I have just exposed? How do the attributes of the model relate to the most stringent questions on the welfare of democracy today? By looking at the guidelines for remarks we have been given by the conference's organizers, we get the uneasy feeling that this winter of discontent isn't just an Italian malaise. Dissatisfaction with one's own form of government is verging everywhere on common sense, as the same outcry can be heard over and over: shouldn't democracy be more democratic? Indeed, there is one main difference with the Italian first republic. While criticism of governmental performance of presidential and parliamentary regimes still is, in so many different countries, a concern for intellectual circles with a limited – albeit qualified – following in public opinion, the process with Italian particracy has gone a good deal further. Italy, we have been told these days, is in the middle of a revolution, which has allegedly already achieved its main purpose: the dissolution of the particratic regime. Maybe in the end we'll be left again with the good old choice to go either parliamentarian or presidential. Yet, as my analysis in this paragraph needs to be confined to available data, I'll mostly deal with the past forty-five years, leaving speculations about the future to the concluding remarks.

[12] Along with a growing number of case studies, several recent books available in English offer a general introduction to and interpretation of Italian republican politics. See F. Spotts and T. Wieser, *Italy: A Difficult Democracy* (Cambridge, England: Cambridge University Press, 1986); David Hine, *Governing Italy? The Politics of Bargained Pluralism* (New York: Oxford University Press, 1993); Robert D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton, NJ: Princeton University Press, 1993); Joseph LaPalombara, *Democracy, Italian Style* (New Haven: Yale University Press, 1987) bears a strong influence on the argument of this paragraph. The most up to date introduction to the Italian studies on the different aspects of the Italian political system is Leonardo Morlino, ed., *Scienza Politica: Guida agli studi* (Torino: Edizioni della Fondazione Giovanni Agnelli, 1989).

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Let's start with extra-electoral legitimacy for the top executive post: who chooses the prime minister in the first Italian republic? The formal constitutional answer says that the president of the Republic designates a prime minister, who forms his own government that then goes to the Parliament for a vote of confidence. Reality is indeed quite different: designation is a party affair. It is the party that picks the prime minister's name as well as the names of the ministers in his cabinet. The president of the Republic is little more than a spokesperson for a decision that is taken somewhere else. However, this doesn't mean that designation is a simple process. One first major complication of Italian particracy is the fact that Italian governments have always been, with the partial exception of a few minority governments, coalition rather than one-party governments. Other than the result of an intra-party selection, the primer minister's designation is to a large extent the result of interparty bargaining. Without an unequivocal party mandate, the prime minister is thus forced to rely upon an unstable alliance among several parties. While the particratic model would require a strong vertical relationship through the party organization between government and society to substitute for the absence of a direct electoral investiture, coalition governments create an autonomous horizontal dimension of political maneuvering that often becomes the true site of executive building.

We may then distinguish two phases in the process of selection and legitimation of Italian governments, depending on the strength of the major party on both organizational and coalitional grounds. All through the late 1970s, the Christian Democrats (DC) proved able to master their coalitions, with the exception of short-lived transition crises from one alliance to another. The party's relationship with its electorate remained stable both in numbers and identification. Moreover, while no direct electoral connection existed between the cabinet as a whole and the electorate, the number of personal preference votes was carefully used as a mean to assess individual ministers' popularity; and it bore a very strong relationship to their governmental careers.[13] During the last decade things changed as a weaker DC had to face a much more aggressive socialist partner, once a less polarized party system offered the Italian Socialist party (PSI) a choice to switch alli-

[13] Mauro Calise e Renato Mannheimer, *Governanti in Italia. Un trentennio repubblicano, 1946–1976* (Bologna: Il Mulino, 1982).

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ances toward the left. At last, in 1981, a non-Catholic president of the Council of the Ministers marked the end of the DC monopoly over the premiership: a relevant change on both cultural and political grounds, yet one that placed the task of governmental leadership on the tiny shoulders of a party amounting to less than 5 percent of the electorate and with hardly any organization at all. Departure from the previous pattern became all the more striking with Bettino Craxi's arrival at Palazzo Chigi, when a special emphasis was laid on the personal and direct relationship between the new premier and the electorate at the very time that whatever was left of the original Socialist party organization was being rapidly dismantled across the country.

Indeed, the rise of personal politics in an attempt to create a more direct relationship between the government and its electorate was also bound to strongly affect the particratic tradition of collegial decision making. Perhaps no change of comparable magnitude has occurred in Italian politics in the 1980s. In place of what had been, all through the late 1970s, a highly disciplined and cohesive system of party responsibility, a new political style, if not yet a new political class, emphasized personal differences as well as individual choices. Whereas in the past, party congresses and party committee meetings had set the main guidelines for governmental activity, the political debate has recently become more and more personality centered. A few politicians now dominate both the party and the governmental scene, making for the first time executive leadership—if not responsibility—a more personal affair. Visibility has become the relevant issue in political communication, with Italy eventually joining the lonely crowd of videopolitics.[14]

One shouldn't, of course, exaggerate the degree to which collegiality characterized for the first thirty years the life of Italian particracy. Party factions were very influential in dividing governmental action, and Italy may well have appeared in the end to have a fragmented government.[15] Collectiveness, yet, need not be confused with unity. Indeed, the best resource for a monolithic decision still remains a monocratic executive. The rationale for collegial decision making is, on the contrary, that differences are there and will most likely persist. Yet, differences notwithstanding, an agreement can be reached, since

[14] Giovanni Sartori, "Video-Power," *Government and Opposition* 24 (1989).

[15] Maurizio Cotta, "Italy: A Fragmented Government" in Jean Blondel and Ferdinand Müller-Rommel, eds, *Cabinets in Western Europe* (London: Macmillan, 1988).

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the collegial body will subsume full responsibility thus allowing particularistic discrepancies to persist as long as they do not challenge the sovereignty of the collective authority. The Christian Democrats' hold over the republican government remained based on the fact that in spite of fierce factional competition the party proved always to be able to restore collective control. Splitting the party, to the left as well as to the right, remained the impossible dream for all the opponents of Italian particracy until the advent of highly individualistic and mostly electoral politics.

This brings us to the third discriminating criterion among governmental regimes – the relationship between the executive and the legislative branches. We have seen that particracy means fusion of powers, and yet this is a feature that can be extensively found in both presidential and parliamentary regimes whenever some form of political continuity is established to cope with the institutional gap. Indeed, with the arrival of democratic politics, the separation of powers has lost its functional rationale: there is no need for dividing institutions once difference of opinions is allowed. In this respect, there is no doubt that the American founding fathers took Montesquieu too seriously and too late. The same should be said about the tedious quarrel, so typical of the highly legalistic Italian public culture, about whether parliament was curtailing executive prerogatives or vice versa, while the truth simply was that party was curtailing both – and rightly so, at least on democratic grounds. The real problem with Italian particracy never was having too strong a parliament or, if you prefer, too weak an executive. It was the absence of a true opposition, which turned the fusion of powers from a viable institutional arrangement into intolerable political monopoly.

Let's now turn to the second set of attributes, the more innovative if not necessarily exclusive attributes of particracy: spoils system, responsiveness, and illegality. That the spoils system is the basic ingredient of Italian particracy is so widely an accepted statement that one still finds no systematic, empirical analysis of the phenomenon. To what extent and in what respect the spoils system in Italy is a more widespread practice than, say, in the German *Parteienstaat* or in the British *quango* (quasi national government) administration is a question where there are several certainties but few numbers.[16] I must then

[16] Franco Cazzola, *L'amministrazione e i partiti in Italia* (Milan: Giuffrè, 1988); Angelo Panebianco, *L'amministrazione e i partiti nei paesi industriali avanzati* (Milan: Giuffrè, 1988).

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take numbers for granted and concentrate on two qualitative aspects that seem to me to characterize the Italian spoils system: clientelism and the public economy.

By clientelism I am not just referring to the fact that governmental resources are assigned on the basis of a personal relationship: this is indeed a quite common feature of spoils systems in general. For Italy, clientelism means that privileges are granted regardless of social condition: indeed, they are mostly granted to people at the bottom of the social scale, rather than remaining within the restricted circle of the governmental elite. Social-minded clientelism, of course, does not exclude elite clientelism; yet, it does make the latter more legitimate in the eyes of the electorate. This is all the more true if the relationship between clientelistic government and the electorate can be expressly assessed through the vote, as has been the case with the multiple preference electoral system of the first Italian republic.

Clientelism thus becomes a major indicator of responsiveness, though not the only one. Responsiveness shouldn't be reduced to its particularistic aspects. Party responsiveness has also a lot to do with redistributive issues that affect large social groups. In the case of Italian particracy, the stereotype is one that links spoils system to individualistic clientelism; yet a more substantial share of the governmental spoils may have been given out in response to group pressures, if not class demands.[17]

One needs only look at the public sector of the economy, by far the most important on both financial and strategic grounds of all the governmental spoils. The irony of Italian particracy is that the socialization of the means of production—if we take this obsolete definition for the modern reality of state-owned industry—was a program of the left that the right turned into reality and the center was quick to manage. Thanks to Communist ideology, Fascist technocracy, and Christian Democratic pragmatism, the public sector of the economy became a catch-all mechanism for making the economic, as well as the political, government of the country responsive to a very large part of the electorate. However, that so few were left out of the game did not mean that the game was right.

Indeed the game was to a large extent illegal. This is an easy conclu-

[17] Peter Lange and Marino Regini, eds., *Stato e regolazione sociale* (Bologna: Il Mulino, 1987).

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sion to draw with so large a part of the Italian governmental elite today under investigation for fraud and corruption. Yet assessment of illegality becomes somewhat more elusive when top managers of major industrial corporations are involved: "the discovery that business corrupts politics"[18] isn't peculiar to the present state of Italian affairs. Legal contours become even more blurred in moving from the top to the bottom of the social structure: the way social security has been administered in the South or the way fiscal regulation has not been enforced in the North may well make several millions citizens the candidates for law-abiding jailing. In a political system, the charge of illegality is a tremendous weapon to use against one's own enemy unless that enemy is the whole country.

However, a judicial crisis might easily acquire moral overtones and evolve into a political crisis whenever there is an economic breakdown to polarize attitudes and solutions. Indeed, 1992's financial crisis has been interpreted and used by many as an indicator that the whole particratic regime of postwar republican Italy had gone bankrupt. Yet, only a few years ago Italy had at last gained a new international reputation for its economic achievements. Whether the country's GNP was number five or six in the world, its rating was extraordinary compared to forty years earlier, when the country had come out of a lost war a bitterly divided and backward society. Deciding which perception is the right one is not a task to be undertaken here, even though the true state of the country's economy might be expected to bear relevant effects on the political crisis. After all, we can always be confident that, as with most economic interpretations, new figures will soon be available. My assessment of particracy will then be confined to the ground that we have covered so far—the institutional ground.

The Last Hurrah?

A form of government can be classified and described, possibly on comparative grounds. Yet for it to undergo evaluation, we need to find its prescriptive bias, the reasons—both historical and moral—why a government works the way it does. After all, while governments are complex systems that need to be broken down into their separate

[18] Richard L. McCormick, "The Discovery that Business Corrupts Politics: A Reappraisal of the Origins of Progressivism," *American Historical Review* (1981).

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parts for a full understanding of their functioning, one cannot forget that all regimes have a simple root in their names. Parliamentarism, presidentialism, particracy: shouldn't we mention what they are about in the first place?

The rationale for parliamentary government is the belief that there needs to be a compromise between the expression of the popular will and its political consequences. The compromise is representative democracy, and it is a viable compromise as long as it finds the right place to be worked out. That place, needless to say, is the parliament. In order for parliamentary government to be successful, at least two conditions need to be met: a strong belief in the virtues of representation and a strong institution where those virtues can be nurtured. As to which condition comes first, there is a widespread belief that representative democracy produces per se, sooner or later, a working legislative assembly. Personally, I am more prone to emphasize the role of historical legacy in the establishing of successful parliaments. This might help to explain why, in spite of so many attempts to import parliaments from Great Britain, the Westminster model has remained peculiar to English speaking countries.[19] However, representation remains vital for the life of a parliament: which is not the case of presidential government.

Presidentialism goes as close as possible to the ideal of large-scale direct democracy. By establishing a personal link between the executive and the electorate, a presidential system of government creates the best conditions for representation to be confined to a marginal, if not residual, role. I am not thinking here of the original intentions of the American Founding Fathers; I am looking at present developments.[20]

For presidentialism to come about, its working principle needed the right environment: no direct democracy could ever be fulfilled in the wilderness of postcolonial America, where government at its best could just be "at a distance and out of sight." Only with the advent of mass communication technology, large scale direct democracy—the utopia of eighteenth-century enlightenment—became a concrete alternative to the constraints of representation. Thanks to polling and television, each individual citizen could eventually see his own choice become governmentalized: the personal president was not just the appropria-

[19] Aarendt Lijphart, *Democracies: Patterns of Majoritarian and Concensus Government in Twenty-one Countries* (New Haven: Yale University Press, 1984).

[20] Richard Pious, *The American Presidency* (New York: Basic Books, 1979).

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tion of government by one man at the top.[21] It also allowed for every man in the country to appropriate for himself the president.

Particracy cannot be qualified by representative versus direct democracy. To particracy this is a formal distinction that impinges very little on the real stakes of the political game. Particracy is based on the assumption that society is divided into hard to reconcile parts. Whether through direct of indirect channels, the party must achieve its goal: to put one part of society above the other. For particracy to be a working regime, divisions within society must be deep and polarized, and parties must be available to organize and institutionalize them.

In this respect, one might view particracy as a by-product of a stage of political development when party systems were closely dependent on the existence of societal cleavages. That few party systems ever gained constitutional status in the form of a particracy may thus be related to the fact that most cleavages withered away before they could reach the threshold of governmental incorporation. Yet, one should also remember that the route to particracy has never been a downhill promenade. There has been widespread and fierce resistance, often verging into outright opposition, to the idea of one part of society becoming government in its own right. The governmental incorporation of substantial divisions in society has remained for the democratic polity its most sacred premise that could yet much too easily be turned into its own demise.

In looking backward at Italian particracy, one acknowledgment should be made: it allowed the democratic game to be played with hardly any restraints, either formal or substantial, in spite of very deep social cleavages. Or, one might add with some irony, thanks to them. The fact that Italy has so long remained a frontier democracy is mostly related to the external challenge of Soviet-led communism being internalized through the Italian Communist party. Yet, in retrospect, we might view Italy as a frontier democracy in a wider and more general sense, as the Communist challenge pushed the whole governmental system to a degree of social responsiveness that can hardly be found elsewhere.

Of course, social responsiveness can become in the long run irresponsible. This is indeed one major criticism that is levied today against the Italian particratic democracy: in order to fight the communist

[21] Theodore J. Lowi, *The Personal President: Power Invested, Promise Unfulfilled* (Ithaca, NY: Cornell University Press, 1985).

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threat, it conceded too much to too many. At any rate, now that the threat from communism is over, the time has come to bring the country back from responsive to responsible government. Is the country ready for the change?

Yes, if we look at the extraordinary majority that the movement for institutional reform gained at the April 1993 referenda. While the eight referenda concerned a wide variety of issues ranging from the abolition of three ministries to a more liberal law for drug consumers and from cutting down public funds for political parties to a new electoral law for the Senate, the political interpretation of both the battle and the result is unanimous: this was a plebiscitarian vote for a change of the political system. A large majority of the electorate had voted against particracy and laid the door open to reform.

Reformers, according to their manifesto, had two basic goals and a main road to achieve them. The first goal was that the will of the people should prevail over professional politicians. There should exist no longer between citizens and their government a cadre of party nomenclature to rule in its own interest as opposed to that of the general public. The second goal of reform was the fixing of responsibility. Almost half a century of coalition government made it more and more difficult for the Italian voters to fix responsibility for successful or unsuccessful governmental policies. The main road to achieve both goals was a new electoral law, substituting a majoritarian system for the proportional representation regulating the national ballot.

With the April referenda, the main road has at last been entered by millions and millions of voters. Italy now has a majoritarian electoral law for the Senate, and a similar one is expected to follow shortly for the Chamber of Deputies. Does this mean that a responsible government will soon replace particratic abuses? Indeed, strong doubts should be cast as to the proper relationship between the main road to reform and its outcome. While in describing the goals of reformers I have most carefully reproduced their own manifesto, for the wording I took the liberty of using this conference's guidelines for remarks, which are based on the American situation. In short, West and East of the Atlantic reform goals are just identical; yet in the case of the United States, a majoritarian system is already there! This leads us to two consequences, on logical as well as on empirical grounds.

First, as these are goals of reform common to different regimes, one should infer that neither presidentialism nor particracy bears a specific relationship to uncertain fixing of responsibility and nomen-

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clature takeover. Second, given that the diagnosis be the right one in the case of particracy, the remedy would still be wrong, since a majoritarian electoral law can coexist in the United States with exactly the same distortions that Italy is trying to eliminate. Let me then conclude that the diagnosis, much as it might be right on general democratic grounds, bears little relationship to the governmental form of the regime, be it presidential or particratic. We may be looking for the right thing in the wrong place.

I am not saying that a majoritarian electoral law will produce no change in the system.[22] Indeed, one dramatic innovation has just been introduced if we look at the referenda campaign: referendum is in fact the one majoritarian exception to the proportional electoral system of the Italian first Republic. Referendum already is majoritarian politics, the more so if one considers that in this case "yes" or "no" didn't stand for a social issue—as with other important referenda in the past, like the ones on divorce or abortion—but for a highly politicized battle. With an unprecedented numbness of theme, which the media helped a great deal to amplify, the referendum campaign was presented as a vote against particracy. "Yes" had little to do with the complex and technical questions that the voter was facing on the ballot: "yes" meant to change the system, to get rid of particracy. Italy, we must admit, has already gone through its first majoritarian electoral campaign. Let's then give it a closer look.

Two aspects of this campaign are most relevant to our discussion: this was a campaign with more media and less party mobilization than ever before in the history of the first Republic. The role of the media was extraordinary in size, because the propaganda in favor of a new, majoritarian electoral law was massive and highly homogeneous. All national newspapers took an outright "yes" position, and this was also the case with all the major magazines; television followed suit, although in a less blatant way. The role of media was extraordinary in quality as well, as a complex institutional issue such as the electoral reform and its consequences were elegantly squeezed into a beauty contest to pick the best law for the country. While disruptive proportional rule had reduced parliament to its present state, the magic of plurality rule would bring orderly and responsible government. For all political scientists abroad eager to see what their highly sophisticated

[22] Mauro Calise, "Remaking the Italian Party System: How Lijphart Got It Wrong by Saying It Right," *West European Politics* 16 (1993).

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forums on constitutional reform will look like once the issue should eventually become a matter of a political campaign, Italy offers a magnificent and horrifying precedent.

Yet I am not putting the blame on media. Media played their game, the one and only way they are apt to play it once they are left alone on the field: that is, whenever there is no other agency to inform and instruct people in a less simplistic and superficial way than media language and cognitive structure inevitably will do. So the question becomes: why were parties not out there, why were they not fighting their struggle for the survival of particracy, why did they give up the chance to speak out loud and clear their last hurrah?

As with all major problems, I have two conflicting explanations. The first is that parties didn't fight for survival because they were already dead. Particracy had long ceased to be the form of government of the Italian republic. With the once dreadful Leninist phalanx born anew into a progressive federation and with the all-embracing Catholic political machine reduced to a financial broker for self-interested elites, parties had indeed lost the rationale to be a governing actor. Since the Italian parties were no more political organizations encapsulating civil society, how could they afford to organize the government? Indeed, whatever was left of parties in the government had little to do with particracy: it was no more one part of society being governmentalized but a self-reproducing clique that would soon be terminated by a democratic upheaval.

The second explanation takes the first one for granted, except for its conclusion. As with most successful movies, it stars *Particracy Two* as a follow-up to the first republic. After all, were not all the parties unanimously arrayed on the right and winning side when the referendum proposed to change the system and create a new one? "Yes," said the former Communists along with the Christian Democrats; "yes" said the wrecking Socialist party and the brand new Northern League. True, parties may have lost their autonomous organizations to reach out into society, but after all are not the media a great invention to make political communication less tiring and more rewarding? *Particracy Two* might not be starring the good ol' guys, self-made grassroots parties proud of having climbed all the way to the top of the state. Old characters sure look more beautiful in their new dress as a media party.[23] Particracy is dead, long live particracy.

[23] Mauro Calise, *The Media Party: Recasting (and Broadcasting) the Italian Republic* (Madrid: ECPR, 1994).

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Discussion

Moderator: Maristella Lorch

Joseph LaPalombara: Let me state a couple of premises. One: I think everyone agrees that political parties are essential to representative government. Two: one must be wary when there are attacks directed against political parties as institutions, as opposed to when there are attacks on them for the misbehavior in which political party representatives may engage. I will try to address three questions to which Mauro Calise has provided at least a few of his own answers: What kind of a system is Italy's? How well has this system worked? Does this system now require institutional change and, if so, what should be the model that the Italians might follow in pursuing institutional surgery?

I agree with Calise's definition of particracy or partytocracy. Italy has been, in its relatively brief history as a republic, a parliamentary system in the making. And its full development as such a system was hobbled from the beginning by exactly the historical circumstances to which Calise alludes. It was, to begin with, difficult for Italians to implement a constitution that was full of what the Italians call mutual guarantees. The guarantees themselves signaled that Italian society was internally divided and that these divisions could not easily be worked out, given the surrounding historical circumstances, such that the Italian system could evolve into a version of the so-called Westminster model.

Because of these internal divisions and other reasons, Italy adopted an electoral system of proportional representation that was as extreme as Giovanni Sartori and others often underscored. This was a system without the so-called threshold, like the German, which would keep smaller parties from gaining parliamentary representation. It was a list system of proportional representation, which placed much power in the party apparatus, such that the voters could change the rank ordering on the ballot only within the limits permitted by the preference votes. In addition, the districts were too large.

As a consequence of this electoral mechanism, small parties did gain representation in the Chamber of Deputies and Senate, and the governments of Italy were necessarily coalition governments. All fifty-

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two of them have been coalitions, and one would have to go to a country like Israel to find anything like this degree of fragmentation in the national legislature.

It is also worth noting for the American audience that, although nine or ten parties in parliament might suggest that any number of coalition arrangements might be possible, this was simply not the case in postwar Italy. The historical circumstances to which Calise alludes were, in fact, the bipolar world, the cold war, the struggle between West and East, between communism and democracy. Italy, in these years, had the largest nonruling Communist party in the world. Precisely for this reason, inside Italy, but especially outside of it in the West, it was simply impossible to allow that the Communists in Italy would ever come to share power as members of a national governmental coalition.

It is for this fundamental reason that the power over public policy, and indeed over the life and death of governments, shifted away from the formal governmental institutions (like parliament) and fell into the hands of the political parties, their general secretaries, and their faction leaders. It was these party leaders who made and unmade governments. And it was because all of this was orchestrated under the aegis of a single party, the Christian Democrats, which exercised hegemonic control for almost a half century, that Italy fell into the depths of political degradation that I will discuss in a moment.

So, the Italian system was born *zoppicante* (crippled) and it remained that way until the Berlin Wall fell, the cold war ended, the Partito Communista Italiano (PCI) became the Partito Democratico della Sinistra (PDS), the older parties went into decline, and the Lega Nord, Forza Italia, and new parties came on the scene. Under this system, the political parties and their leaders made policies and other allocative decisions. Indeed, the system worked so well that the opposition (at least on the left) became an integral part of this way of governing. In order for this system to work, its mechanisms necessarily had to function outside parliament. And so Italy developed its particracy.

It was a unique system. But every system is to some extent unique in that it evolves in particular historical circumstances and within a very specific geographic context. This should imply that when reform is in the air or demanded, one should remember that reaching out to some other country as a model is, at best, very risky business.

How well has the system worked? Those of you who have read my book, *Democracy, Italian Style*, will remember that I believe that it

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has worked spectacularly well.[24] I don't mean merely in terms of the fact that few countries can show similar economic development or similar redistribution of income and wealth across social categories. In addition, there were many enormous political, demographic, social questions that would severely have taxed any democracy, and Italy managed all of them extraordinarily well. One thinks of literacy, population movements, rapid industrialization, control of terrorism, etc.

I am not sure what Ted Lowi intends when he mentions the gridlock of democracies. But when I think of gridlock, I think about the United States, not Italy. I think of decaying American cities, the degradation of public education, the millions of Americans below the poverty line or without adequate health insurance. I think about the number of homeless persons in America, about the national deficit, industrial decline, race relations, and of the index of inequality that now afflicts the United States.

My contention is that if you take categories of this kind and look at Italy over the last half century, you would have to agree that the system has performed spectacularly well. But the impression you get from the daily newspapers is not this at all but, on the contrary, that Italy is in the throes of the worst scandals anywhere in history. Let me tell you, on this score, that I was recently in Berlin, at the launching of an organization called Transparency International—a kind of Amnesty International that intends to do battle against the presence of corruption in international economic transactions. There were twenty-four countries represented at Berlin, but not Italy, and I don't know why.

In any case, at this meeting, I listened to senior representatives from countries like Algeria, Nigeria and the Philippines bemoan corruption and then describe Italy as the limiting case of the depths of corruption into which a country might fall. Those of you who know anything about any of the three countries mentioned will appreciate how bizarre I thought these comments to be. The point is that given how the mass media have been of late reporting on Italy, one might indeed develop the impression that contemporary Italy is the most corrupt country in history.

But of course this is not true. For example, the Savings and Loan scandal in the United States, before its cost is paid off, will wind up costing every living American at least an average of four thousand dollars! Were one to put numbers on the cost to the Japanese of the

[24] LaPalombara, *Democracy, Italian Style.*

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Recruit scandal and other forms of corruption there, it would surely be greater than anything thus far exposed in Italy by the so-called Clean Hands investigations. One needs to make comparisons of this kind and to do so honestly in order to place the recent Italian condition in better perspective.

One should also be cold blooded, as well as accurate, in assessing the role of Italy's magistrates in this Clean-Hands affair. These investigating magistrates—the *inquirenti*—have now sent the so-called *aviso di garanzia*, which is in effect a letter advising the recipient that he or she is being investigated, to several thousand Italians, and this has been widely reported in the Italian and world press. The impression is created that all recipients of such a letter are probably guilty of corruption. Few reporters have taken the time to explain that this is not the case, and that in fact some of the magistrates have patently made political use of this instrument.

The truth is that the *aviso di garanzia* is the result of an attempted reform of the judicial process effected by Italy in 1989. Before this reform, magistrates could conduct secret investigations of citizens and then suddenly order them arrested and in many cases held in jail without bail and without being charged with any crime. Thus, the *aviso* was designed to protect the citizen by putting him or her on notice as to what the magistrates were about in their regard. The point is that the letter is no more than this: that it in no way implies that the persons involved have actually committed a crime, that they will be formally charged, and that they will then be tried in a court of law. An even more dreadful side of what the magistrates have been doing is a de facto form of preventive detention—a practice that is simply alien to the Anglo-American sense of procedural due process.

As a result of these practices, a highly distorted picture has been created abroad about the depth and the magnitude of corruption in Italy. Nevertheless, Mauro Calise is correct: one of the consequences of particracy is that corruption was, if not encouraged, then certainly facilitated. There was probably more of it in the public than in the private industrial sector; but even where the public sector engaged in extensive corrupt behavior, there were persons who were their counterparts in the private sector as well. In effect, where corruption is concerned, it takes at least two to tango. In any event, it is equally a distortion of things Italian today to believe that the corruption that has prevailed there and that is still being uncovered today is limited to the public sector.

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To return to my main point, the Italian system, despite corruption, has worked amazingly well. With the end of the cold war and the fall of the Berlin Wall, the Italian system has its first chance to develop as a genuine, unhobbled, parliamentary system.

It may be too late for that. As Calise indicates, the Italians have been in a mood for change, and indeed they have already modified the electoral law in ways that I am sure he would not approve. The third question I posed, should there be institutional change and, if so, of what kind, is therefore in the process of being answered in the affirmative by the Italians. They continue to debate not only electoral laws but also, for example, issues like presidentialism, whether the political system should become more federalist, etc.

This mood in favor of change has infected the entire peninsula. Beyond a new electoral law, some long for a second republic. A new party like the Lega Lombarda sometimes seems to want to split the country, at other times seems to be in favor of federalism. The country will remain politically rife for some time, especially if parties like the Lega Lombarda come to gain or to share power in a national government.

My hope is that, whatever else happens, Italians will avoid the real disaster, which would be an attack on the political parties as institutions. The representative democratic system of Italy, indeed any such system, cannot function without political parties. One must, as I said earlier, distinguish between the party as an institution and the unacceptable or illegal behavior of some of those who led the parties themselves. As for revising the electoral law, it is probable that any revision done in a hurry will produce new mischief. In any case, whatever law emerges will have to take into account the fact that along so many dimensions Italy is still anything but a homogeneous country.

The range of difference in values and culture and orientations I have in mind is skillfully etched by Robert Putnam's *Making Democracy Work*, a brilliant book on Italy with which Raffaela Nanetti is also associated.[25] In a way that I and others find somewhat depressing, this book shows not only that some of the differences among Italians vary systematically as one moves from the north to the south. It turns out also that where the values and behavior we associate with civic political culture are concerned, those places in Italy that have the most of this quality developed it seven centuries ago. Given these differences,

[25] Putnam, *Making Democracy Work*.

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I am frankly skeptical of any kind of institutional reform that would help to fragment the peninsula—for example, into the three areas that make the Lega Lombarda dominant in the north, the PDS or former Communists dominant in the central regions, and the Christian Democrats, or what is left of them, dominant in the south.

To conclude, I tend to judge a political system by how effectively the policies of government seem to respond to the needs and the demands of the folks out there. I think that Italy has done reasonably well on this score and that the parties have been a major factor in that performance. Thus, my concern is that reforms, whatever they turn out to be, not place the party—the particular institution that is necessary to the health of any democracy—in a state of jeopardy.

RAFFAELLA Y. NANETTI: Before offering my remarks, I should make a disclaimer. While I am an observer of Italian politics, I professionally am not a political scientist. Rather, I am a student of the implementation process and of the impact of policies produced by the Italian political system—that is, I am a policy analyst and a planner. One of the biases of policy analysts is that they seem to have an obsession with methodology. As I took the four questions offered by the conference organizers and I tried to analyze the Italian parliamentary system, I found myself confronted with a methodological dilemma. I reflected on the whole postwar period, and I found myself questioning the internal validity of the data about the Italian case in the light of the macro changes of the last few years. We need to look at the evolution of the Italian parliamentary system in the postwar period as made up of two periods: 1946 until the end of the 1980s; and 1990–1993. Much discontinuity with the past has occurred in the last few years in terms, for example, of the move from the proportional to the primarily plurality system of election to parliament and of the emergence of new national and regional parties. The problem is that such pervasive change forces the analyst to consider history as an intervening factor, and thus, to explain with continuity the Italian case in its evolution.

Do the national election campaigns in Italy produce high quality officials as well as policy mandates? I refer to the period until the end of the 1980s. Sometimes, but not often, the system has produced high quality public officials. The traditional political party system in Italy tended to nurture people through party ranks. Of course, some parties more than others undertook to school their own officials and raise candidates through the party ranks. The epitome of such an approach was probably the Italian Communist party with its party schools. But

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other parties through their own mechanisms—including the use of supportive organizations such as trade unions and professional associations—did so too.

Because of the particracy system, party campaigns were always run and managed by parties and certainly not by individual candidates as we find in other systems. The qualities in politicians that the Italian system seemed to reward included adherence to party line, which is not necessarily a positive element in terms of creating quality officials. It also tended to reward experienced politicians who often had general strong intellectual skills, so that they could be utilized as jacks of all trades, people who could be placed in one kind of responsible position in a ministry and then moved to another. I think the system has produced many of these good people. What the system tended to discourage or not reward were individuals with an independence of mind, political mavericks. Also, it tended to discourage specialization. People were not necessarily chosen within the system because of their skills in the economic field, for instance. On the other hand, the system actually used specialized skills; but it tended to draw them from outside the system, tapping into a large pool of external experts, maybe close to a particular party but nevertheless people who had not been nurtured through the party system as politicians.

In our work on Italian regions, we found several cases over the years of political mavericks who were demoted from positions at the national level to the regional level because of the very fact they were mavericks. We also found a number of mavericks promoted from the regional and local level upward; so the system was not unidirectional in terms of this particular issue. Finally, we found that demotion and promotion were not always what they were meant to be. At times, demoted mavericks thrived as regional and local officials, while promoted politicians faded into obscurity as national officials.

Let me respond briefly to Calise's question of what we mean by high quality officials. Which criteria are we using when we ask that question? Are generalist politicians better than specialists? Drawing again from our own experience with research at the regional level, my answer is equivocal. Each type is needed at different times.

In Italy, party platforms always contain multiple issues. Differences in policy mandates in terms of specific parties were fairly clear during electoral campaigns. However, because the Italian system of proportional representation has always worked in terms of party coalition, mandates blurred and sometimes were even forgotten in the inevitable

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political bargaining that took place every time a coalition had to be formed. Sometimes even a large party had to give up some part of its purported mandate to form a coalition.

Is the system in Italy better able to make difficult policy choices because of the absence of separation of powers? Throughout the period under consideration, there was a problem with the dispersion of power and responsibility within national government coalitions. This was an obstacle to making any real choice in spite of the fact that many things were in fact accomplished. A higher degree of homogeneity within the governmental structure would be a pre-condition but not an insurance for making tougher decisions.

In addressing the fourth question on the fixing of responsibility, let me bring up another lesson from the regional level. For more than twenty years of the existence of Italian regions, there have been cases of regional coalition changes—that is, governmental changes from multiparty to two-party coalitions and from one color to another. These presented the opportunity to assess whether a more cohesive coalition would determine different outcomes and outputs. There is evidence that change from a less cohesive political regional coalition to a more cohesive one did produce a higher degree of institutional performance over a number of years. On the other hand, in many cases at the regional level one had mandated coalition governments, situations when a different coalition would have been in place if the national parties had not imposed a certain format reflective of their national strategies. We are going to see the death of this kind of conformity principle, according to which regional governmental structures need to be homogeneous with the national coalition. A dramatic trend toward the regionalization of Italian politics has been emerging since 1990.

GIOVANNI SARTORI: The First Republic is dead. The Italy of 1946–1948 died around 1990–1991. It was the Republic of Parties more than the Republic of Deputies. And we now have, I submit, the Republic of Judges. What will emerge out of all this is Joe LaPalombara's problem: he will have to write a new book, a sequel to *Democracy: Italian Style.* But I do share his concern about the destruction of parties; for I cannot conceive of a partyless democracy. So if the destruction of parties that is currently under way is not simply the destruction of old parties but of parties themselves, then I am very worried. I am equally very worried

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about what will emerge from the new electoral law now under discussion if the English-type majority system will prevail over the double ballot majority system that most experts and I are recommending. The outcome of the one-shot plurality system would be, as LaPalombara exactly predicts, a highly fragmented division of the country along North-South lines. English-type elections would produce three strong minorities that cannot produce any coalescent majority. The North will largely go to Bossi's League; the Center will go to the PDS, the former Communist party; and the South is likely to display a combination of DC, MSI and clienteles tainted by *voto mafioso* and *voto malavitoso* (that is, by votes of other criminal elements), as the Italian expressions go. So we are entering a highly amorphous and unpredictable Second Republic.

Currently the burning issue is corruption. I share LaPalombara's view that this issue is overblown. Nevertheless it is *the issue*. And there is no question that the financing of politics had reached pathological proportions and that the last decade had witnessed the rise of a system of generalized corruption. The overblowing occurs, in my view, at the point at which the courts seemingly forget to draw a line between *concussione* (extortion from above—officers and politicians that oblige citizens to pay a *tangente*) on the one hand, and bribery on the other hand. Now, and in principle, if we have extortion from above we cannot have bribery from below. Who corrupts whom? In practice, to be sure, what did materialize was a system of collusion in which both sides concurred and benefited. Still, it generally was the extortion, the *concussione*, that initiated the whirl. Magistrates are also being heavy handed with habeas corpus. But I do not wish to get into this any further because I only wish to clarify the expression, Republic of Judges. Let me thus revert to the question, What happens to parties under this kind of storm?

The premise of the argument is this: that party strength, party control, and eventually, particracy are very relevant independent variables across all political systems. Whether a system is presidential or parliamentary, its ability to perform crucially depends on whether the parliamentary parties are disciplined or not, and to what extent parties ensure a governing majority.

The Italian political system is declared a parliamentary system. But so is the English system. Yet Italy and England have very little in common. The British cabinet system (as it is best called and identified) naturally rests on party discipline for the simple and compelling reason

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that it obtains single-party government. The Italian parliamentary system generally requires, instead, broad and heterogeneous coalitions. Let us leave aside the short lives of Italian coalitions. When in office, how can coalition governments govern? The obvious reply is that parties do control the parliamentary behavior of their members. Italian governments were weak; but when an agreement was reached between the party directorates on which legislative acts would pass, they did pass. This was assured by party control of both the government and the legislative body.

Note, however, that this point is quite different from the particracy point. Particracy denotes more than discipline. It indicates a trespassing of politics beyond the sphere of politics, and especially the party colonization of the economic society—state industries, banks, etc. This has been the serious flaw and sin of the Italian experience. There is little doubt that particracy has to go. But if the crumbling of the omnipotent party also involves the loss of force of the parliamentary party, then an assembly system (the Italian variety of parliamentarism) simply cannot work.

Reverting to my initial thread, all democratic systems (whether presidential, semipresidential, cabinet-centered, or parliamentary) face two problems: one is whether elections produce undivided government or at least a decently unified governing coalition; the other is how governments manage to get their legislation approved by and through parliament. With presidential systems, the low party discipline helps presidentialism to perform under conditions of divided government (vide the United States). But the other side of the coin is that a presidential government remains relatively weak even under conditions of undivided government. A president can never be sure, with feeble party discipline, of his majority in Congress. I would thus argue that the formula that best assures strong government is not the American, but the English one. For the English system generally obtains an undivided single-party government upheld by strong party discipline. But what about parliamentary assembly-based systems? The answer is clear: the lower or lesser the party discipline in parliament, the less these systems are able to function and to govern effectively. The Italian predicament thus is that if the dismantling of particracy goes too far and brings about the very dissolution or near dissolution of parties, then government sailing will become more difficult than ever.

QUESTION FROM AUDIENCE: People who criticize U.S. government effectiveness usually point to the deficit. Our debt has been about 5

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percent of gross national product (GNP), and almost everybody in the country thinks that's far too much, that it's gone out of hand. All political parties, Congress, the president, Wall Street professionals, everybody with a few exceptions thinks that this is the greatest failure of our governmental system. In Italy debt has been running for some time at 10 percent of GNP, which is twice as much as the United States. I was wondering that either we're terribly wrong in saying that the U.S. system has failed, or you're wrong in describing the Italian record as being such a success.

LaPalombara: Yes, of course the *Wall Street Journal*, the *New York Times* and similar newspapers all over the Western world will describe as Italy's major problem the fact that over 10 percent of gross domestic product (GDP) is likely to be its deficit level as opposed to a much smaller percentage in the United States and other countries. Not many of those newspapers, however, make another kind of comparison, which I think is equally fair. If you have a deficit, obviously you worry about how you're going to cover it. One of the ways in which the Italians have covered their deficit over these years is they have had the second or first highest savings rate in the world. The Japanese were ahead of the Italians when the Japanese were saving around 20, 21 even 22 percent at one point. Then they fell to about 18 percent. The Italians were up to about 18, and the Japanese fell still more. But even today, Italy saves at a rate of around 10 or 12 percent of GDP, which is roughly four times the rate of American savings, which is about 3 and 4 percent. I think the Italians have done and are doing immensely better than that and that's one of the ways in which they dealt with their annual deficit. They put their money into government bonds, and since the overwhelming proportion of these savings goes into Treasury bills, the Italians are doing much better in dealing with their deficit than we are. This is not to minimize the fact that Italy's accumulated debt seems to be simply outrageous—about 105 percent of GDP. American total debt is immensely lower than that, but I don't get freaked out about deficits and deficit levels as some other people do, although I read the same newspapers you do.

Sartori: I do not see how the point on how Italians save and invest their money bears on Italy's democracy. LaPalombara's argument could be turned around as follows: Italians are so diffident vis-à-vis the accomplishments of their government that they save in order to

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make sure that they survive whatever their government does. But this sings no praise of Italian politicians!

First, Italians save because they are not incessantly told, as the American consumer is, that they must be confident and that unless they spend more than they earn the economy will lag. Here one might argue that the merit of Italian politicians is to encourage their citizens to save. However, the savings of Italians mostly go—as LaPalombara underscores—into state bonds, into financing a truly enormous state debt, which is more than one year of GNP by the official accounts, but probably four times as much if all debits, including the social security ones, are pooled together. So, politicians encourage Italians to save, but then eat their savings and use them to sustain a progressive and still mounting debt. And there is nothing to be praised in that, I submit.

QUESTION: In some ways, the Japanese and Italian cases seem very much the same: both are parliamentary systems; both are dominated by a single political party. The party is where the action is in both Japan and Italy. And yet the crisis that we're talking about doesn't seem to affect Japan quite the same way: corruption, resignations, but when it comes to voting, the Liberal Democrats come out on top again. Why hasn't that happened in Italy? What went wrong? Is it because in Japan people are generally satisfied with the piece of the pie they are getting? Does it have to do with voter satisfaction?

SARTORI: The analogy is feeble, I believe, on all counts. First, the Japanese have had since 1954 a reasonably efficient and certainly in economic terms a highly successful single-party government. Italians have always been governed by inefficient coalitions, and Italy's economic miracle of the 1950s was subsequently hindered, more than helped, by politics. Second, Japan's state does not own, as the Italian one does, enormous chunks of the economy. Japanese politicians are bribed by private capitalists. Italian politicians have also been stealing, so to speak, from themselves, from the state's industrial property. The bottom line thus is that political corruption has not damaged the economy and economic growth in Japan, but it *has* damaged the Italian economy. That's a big difference.

CALISE: If you asked the question of an Italian colleague two years ago, he would have given you exactly the same answer the Japanese colleague gave you. We might say what's happening now in Italy might

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be happening in Japan six months from now. I'm not convinced that corruption is the cause of what's happening now in Italy. Actually, nobody mentioned corruption as a cause. Corruption has simply helped the crisis of the system to become more visible, but I wouldn't call it a cause.

SARTORI: Still, it has brought about terribly bad investments. Nobody argues that it's a cause, but if investments are chosen on the basis of where one can get more "black" money for the party and eventually for oneself, that's not right and very wasteful.

CALISE: Yes, but we're not discussing as much about investments as about the crises. If the North League had not made a major breakthrough into the Christian Democrat voting bases in the north of Italy, I don't think we would have had the whole corruption exposure we've been having. The crisis of the party system has made the whole corruption business vulnerable.

LAPALOMBARA: I agree with Calise. This process began in northern Italy with the onset of the Leagues that quickly developed. They went from being a movement to being a party. It started in Milan, because in the north of Italy there was an unrealistic assumption that it was only those unwashed semi-African, southern Italians who fell into corruption. Then they discovered that in their own cities there were acts of corruption. With all due respect to my colleague Sartori, we should distinguish here two things. One is whether industries are being managed well or badly. The other is to note what happens when private-sector companies get into trouble. If you look at the statistics on the public and the private sector in Italy, it appears at first blush that the private-sector industries are managed better than the public sector industries. But the place where I would want to be a capitalist, if I thought I was not going to be a good manager and if I didn't have a high propensity to risk, is Italy. This has been a country where, for about 50 years, if you were in the private sector and you were stupid, or if things over which you had little control went badly for you, you sold your company to the state at a very good price. If the managers on the state side were managing their industries relatively well, you tried to buy the industry back for a nickel. I have described this elsewhere as a form of primitive capitalism.

On balance I agree with Sartori that the private sector manages better than the public sector, but not all of the time. Some of the public-sector

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firms have made a lot of money in recent years; some of them are greatly in debt. You have to look carefully, but on this issue of corruption it takes two to tango. The distinction Sartori was making is between bribery and extortion, but eventually if you tango enough with the same person you no longer have to have an invitation to dance. You simply embrace each other and move around the floor. When you get a culture of corruption, it no longer matters except to the judges preparing the indictment whether it's an act of extortion on the part of a public official or bribery on the part of somebody in the private sector. I'm reminded of a businessman who finally in tears said yes, I gave a million dollars to this particular political party and I really am sorry I did it. But every one of these people at any moment knew exactly what the law was, could have blown the whistle, could have refused. The answer you get is that as a manager I had a responsibility to my stockholders not to do something stupid like blow a whistle, because then I wouldn't have any more contracts. But there is a developing culture there that has to be judged not from Mount Olympus. It's not just Italy that does this. Try to build a skyscraper in New York without paying somebody a percentage.

As for the Lega Lombarda and those who head it, we should note that Umberto Bossi, in his earlier statements, clearly made racist statements. His attitudes toward southern Italians were essentially racist—as reflected in the derisive comments one hears in Milan and elsewhere in the north that Africa begins at Rome. Bossi has toned down these comments, because he wants the Lega to become a national party. And so the racism is no longer up front the way it was earlier. So now you find Bossi and others of the Lega making statements about federalism.

Japan, as Sartori says, is essentially a one-party system. It too has had a kind of particracy, like the Italian system. Now, a new generation of specialists on Japan is showing us that it wasn't really a one-party system but, rather, like the situation in Italy, one in which the Liberal Democratic party also made its internal adjustments to the second party, the Socialist party of Japan. These arrangements included what we call pork barrel in the United States and which almost certainly must have included forms of corruption that also involved the other parties.

NANETTI: As we talk about some of the failures of the system, it's not so simple to say private versus public in Italy. At least one other distinction needs to be made. Within the private system, one has to

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distinguish between the large private enterprises and the small and medium-size enterprises. LaPalombara was very correct to say that the large private enterprises are the greatest culprits in this collusion and corruption game. There are so far relatively few small enterprises involved, because the big game was played by the big players—the state and the big enterprises. Small enterprises, particularly the intermediate-size enterprises got into subcontracts but they were not the primary players. Small and medium-size enterprises in Italy are largely self-financed. The medium-size enterprise employs the largest number of industrial and tertiary-sector workers, where there is the highest growth in employment. I am currently involved with research that looks at performance of 174 regions within the European Community. We've done cluster and longitudinal analysis, and we find Italy a tremendous success story in the northern, central, and southern regions. The northern regions of Italy, when compared with the most successful continental regions of Germany and France, have done extremely well. But in relative terms, southern Italian regions have advanced too over the last twenty years vis-à-vis many of the other European regions.

Lowi: Calise's report was about the party system of the First Republic and anticipation of its collapse. We have no disagreement on that, but afterward the conversation turned on corruption and success. And I find all this true but hard to put together. The question of the deficit, for example. It's not so much the debt that burdens the United States, it's alarm over the incapacity to deal with it. Italy looks enormously prosperous to me. That makes even more striking the collapse. Whatever the case, I find something extraordinarily disingenuous here. American prosperity and growth give optimism for the future, and yet Americans have this tremendous sense of collapse. I don't believe Italy suddenly became more corrupt than before. It's just like the United States, just like the Marshall Field store, which assumes 7 percent pilferage by its own clerks. If I assume for the moment that Italy was not intrinsically more corrupt in 1993 than in was in 1990, why so much scandal when it's simply the exposure of corruption? Is the scandal simply being used as a political device in a country that has become so individualized with the collapse of the party system? Is it that suddenly people are using scandal as an alternative to election?

Calise: I think that Lowi raises the right question. To answer that question, I think we have to stick more closely to the institutional framework. I think I am correct in trying to distinguish particracy

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from parliamentary government. I know that the English case will show us how beautifully a parliament can work if there is an orderly party within the parliament. But that's not the case with particracy, if you take parties seriously as an independent variable within society. A case for particracy needs to refer to the relationship between party organization and societal cleavages. We are talking about corruption but we are forgetting that 1989 meant the official end of the East-West cleavage and the formal collapse of the Italian Communist party. That is the major factor making the whole traditional balance within the party system wither away. That is why I stress the party system autonomy as far as the specific cleavage of that party system, because that accounts for both the strength of Italian particracy in the first thirty-five years and its present weakness.

Corruption is not a strategic factor, and what we are now trying to do is to find some type of institutional arrangement to substitute for the enormous role that parties have played in the past. They played a very difficult role, but it was successful because it so penetrated society and the public sphere. Besides, parties merged together north and south through their own autonomous organizations. That is exactly the system that accounted for the spectacular performance LaPalombara has been describing in his book. Italy is not heading toward a parliamentary party system. It is going in a very different direction.

LaPalombara: In the 1980s, deviant behavior increased in Italy. It's been there all the time, all over. If Italy should be singled out for distinction today, it's not on grounds that corruption is out of hand. It's rather on the grounds that it's the only democracy I know that is trying in a massive way to deal with this problem. The Italians are visibly angry, and they claim that they are going to do something about reducing the incidents of corrupt behavior in politics and society. I admire the Italians for doing that. I do believe that some aspects of corruption did increase in the 1980s.

I believe that what happened in 1989 is that the condition that prevailed in Italy until that time simply terminated. That old condition was this: it said to Italians, whatever it is you know about this system and don't like, you will have to dampen your criticisms, because the international situation compels you not to rock the political boat in your own house. We have a bipolar world that won't permit it.

The Italians are now rocking the boat because that bipolar world has disappeared; it is a thing of the past. When this happens, it also creates something of a vacuum, because under previous practice in

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Italy, the Communist party was excluded as a legitimate player and therefore as a legitimate choice. It is my contention that the investigating magistrates, the *inquirenti*, have moved into that vacuum with a vengeance. To some extent, they have become a substitute for elections. And they have now become a driving force that will have a definite effect on elections when they occur.

Basically, I believe that the Italian Republic is a very sound system and not one that requires replacing. It's going to be changed somewhat, but it will be around for a long time. Italians, alas, tend to describe simple things in catastrophic terms, including when they are reporting on corruption. If to be as badly governed as it is now claimed Italy has been for so many decades will produce the results that are open for anyone who goes to Italy to see at first hand, then this political know-how should be packaged and put on the market. This would bring in enough income to solve the debt problem in no time at all.

SARTORI: We all agree that Italy is a success story. But has this occurred thanks to politics and political institutions? I think not. It is a reality but these institutions, these procedures, this way of handling democracy doesn't help.

LAPALOMBARA: The referendum is not a mandate to the parliament of any clear kind. So everyone places on its outcome the interpretation that suits his or her ideology or predisposition. My hope is that they will come up with the electoral system suggested by Sartori. A majoritarian or first-past-the-post system of the kind we have in the United States or in Britain would be a sheer disaster for Italy.

But I really count on the good sense of the Italians, of which they have given us a half-century's evidence. I think there is zero probability that they will pass a British-type electoral law. Sooner or later, they will come to the run-off system that Sartori has proposed[26]—perhaps a majoritarian system with a proportional qualifier, or perhaps something like the German system.

As to what the Clean Hands investigation will produce by way of its effects on contemporary members of parliament, it may be that some of them will wind up in jail. But don't make the mistake of jumping to the same conclusion that so many others have when they read in the newspaper about the *aviso di garanzia*. All this means is

[26] Giovanni Sartori, *Comparative Constitutional Engineering* (New York: New York University Press, 1994).

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that a judge sends you a notice to say he has begun an investigation, and he or she may also give you the specific area in which the investigation is to proceed. The possible crime may be extortion. But the person investigated may be entirely innocent of it. In any event, it will not be a rump parliament after the next elections, caused by the fact that the old lawmakers are in jail. Rather it will be a different parliament, also because the mere receipt of an *aviso* means that the person involved has perhaps been tried and found guilty by the press and public opinion.

CALISE: That is what I maintained up to a few months ago. Since I am on the defense line, may I add a little bit of pessimism. The people in parliament might eventually find the strength to behave as national parties. But the temptation is very big for each of those parties to decide that they are not going to be able to afford any more nationwide competition, much as they might be willing to play that type of game. In that case, a weaker and weaker former Communist party might be pushed into the British system, because after all that's some guarantee for its own survival. The Christian Democrats are now making a very selfish calculation: they are thinking they are going to carry the South; and who knows about the North? As far as self-interested calculation, the North should go League, but what if they are pushed toward a really traumatic choice? Because parties have been losing their understanding of national politics, the crisis is about what can really happen. Sectional fragmentation is becoming more and more evident. Whatever is left of the former Communist party organization is in central Italy. The same might be said for the Christian Democrats, as they have in the South what is left of their past electoral strength.

SARTORI: I fully concur that the first-past-the-post system would be a disaster. Unfortunately, I fear that it will be adopted. The referendum itself does not impose a one-shot plurality system; it equally allows for a double-ballot single-member system. However, the parties who have to decide the reform cannot agree on any reform, especially because their calculations and guesses on who will benefit from what differ. I happen to believe that these calculations are basically mistaken. For instance, the Christian Democrats prefer a single-ballot to a double-ballot majority system, because they predict that in the South their first shot will be their best shot—that is, they can win a seat with just 25 percent or so of the vote. I have been arguing that this is an

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unwarranted expectation. But I encounter deaf ears. I fear that the new electoral system will be ill-conceived and counter-productive.

QUESTION: Isn't it legitimate to think that it is exactly the success story that has in a sense exposed the inadequacies of the Italian parties? The society has changed. If it weren't for the fact of international constraints, of polarization, there would probably be that process by which the parties restructure themselves and learn how to answer needs of society. Now, this is not happening. What do Italians expect from parties as they are? Much of what parties are going to be depends on how they answer the needs emerging now from a society that is totally different from the one in which the old party system functioned.

LAPALOMBARA: I don't agree that the relationship between the people in civil society and the political parties has deteriorated. Italy has a chance to develop the type of such relationships that are typical of democracies. There will now emerge more electoral parties than has ever been the case in the history of Italy. These parties will compete actively for the vote, and they will all be essentially legitimate parties, fully accepted as appropriately engaged in such competition. What is in the process of emerging is a more natural relationship between parties and the people.

There will be new parties, and some of the older ones may go out of existence. The new electoral law itself will help to shape this. But you will also get a much more relaxed and open relationship between people and the parties. Because Italians will no longer have to live under the nightmarish thought that, if they vote the wrong party into power, this may adversely affect all of the West and cause the whole international system to collapse. This is, after all, exactly the heavy burden that the Italian electorate has had to bear for almost a half century. For the first time, Italians can breathe the air of genuine and unfettered electoral and party competition.

It is a period of transition. My fear is that the transition can be botched pretty badly unless they adopt an electoral solution much like that suggested by Sartori. My even greater fear is of the danger I mentioned earlier in this discussion: it would be an enormous mistake to think that the real way out of what ails the Italian polity is the total destruction of its parties and its party system.

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Changing Perceptions of the British System

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Since the development of their academic discipline over a century ago, American political scientists have treated British parliamentary democracy as a benchmark in evaluating the American system.[1] For almost half of that century, it is distressing for me to realize, I have tried to contribute to that comparative enterprise. Now I hope only to refurbish previously stated views by taking into account recent political experience and selected scholarly interpretations of that experience. My perspective combines respect for the British political system with a disbelief in the suitability of its parliamentary institutions for the United States. As a corollary, I treat the separation of executive and legislative powers as workable, if not ideal. It is so central in the American system that its drastic transformation, as distinct from marginal changes in its practice, is inconceivable in circumstances short of a catastrophic breakdown of the system itself. These views are hardly unusual. They are at odds only with a scholarly minority that

[1] One of the first and most famous comparisons is in Woodrow Wilson's *Congressional Government* (Boston: Houghton Mifflin and Company, 1885), which drew on the even more famous comparison from the other side of the Atlantic by Walter Bagehot, *The English Constitution, and Other Political Essays* (New York: D. Appleton and Company, 1877). For a review of much of the subsequently relevant literature, see Dennis Kavanagh, "An American Science of British Politics," *Political Studies* 22 (September 1974): 252–270.

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has long advocated American adaptations of British parliamentary government.

Although I should like to think that my views are the product of research and scholarly contemplation, they surely owe something to the place and time of my political education. Wisconsin, where I lived and studied even before World War II, was not an Anglophile stronghold, and I encountered none of the admirers of the British system who reputedly populated academic institutions elsewhere. More importantly, my earliest and presumably formative political engagement was in the 1930s, when the American system appeared successfully responsive to New Deal policies. Later, I learned to appreciate British democracy first by observing it during World War II and then by academically pursuing the subject. But even as I sought to become a British politics specialist, I retained research and teaching interests in American politics. No doubt, the Americanist mark will be recognizable in this article's first two sections on the nature and recent operation of the British political system, and especially plain in the third and concluding section on proposed solutions to American institutional problems.

The Nature of the Model

"British parliamentary democracy" and "British political system" are terms that distinguish a particular version of fused executive and legislative authority from the several other versions of parliamentary government in the universe of democratic nations. "Westminster model" is similarly useful. To be sure, the model resembles other versions of parliamentary government in that any fusion of executive and legislative authority stands in broad contrast to the American separation of powers. But fusion alone is not what principally inspires admiration among American political scientists. It is Britain's strong and stable government by the leadership of a single cohesive party holding a majority of seats in a virtually omnipotent parliamentary body. Peacetime deviations from this pattern have been brief and exceptional in Britain, while the pattern itself has been uncharacteristic of most other European parliamentary democracies. I refer not to checks in some of those nations through effective second chambers and judicial review; the importance of their absence in Britain will be noted later. Here, I am thinking of the typical continental multipartism that makes coalition governments normal practice. Such governments often en-

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dure from one election to the next, as do the German but not the Italian. Nevertheless, they usually lack the prized virtue of the British model: one party's full responsibility for governmental policy. Responsibility, in this sense, is what first prompted American admiration of British parliamentary government. The admiration has been sustained, indeed strengthened, as party majorities in the House of Commons became more durable than in Walter Bagehot's day, now ordinarily ensuring a government's tenure between general elections and thus making a government more directly responsible to the electorate.

Britain's majority-party government is as readily associated with single-member, simple-plurality (first-past-the-post) elections as continental European multiparty parliaments are with proportional representation. Neither kind of election, to be sure, guarantees the results with which it is associated; but no one doubts that Britain's first-past-the-post arrangement has returned a majority parliamentary party much more often than would the well known alternative arrangements. Only in one of the fourteen general elections between 1945 and 1992 did it fail to do so. Yet, in none of those fourteen elections did the majority party poll even half of the total national vote for its parliamentary candidates, and in several elections its share was either a little below or a little above two-fifths. Accordingly, first-past-the-post election, or something like it, looks like an essential element of British majority-party government. Perhaps for some Americans observing the British system, first-past-the-post election commands little attention, because unlike many other British institutional practices, it is also an American method.[2] Despite interesting variations, American partisan legislative elections are most often decided by simple pluralities in single-member districts. On this score, transplanting the Westminster model to the United States requires no change. The situation is very different for other significant institutional practices associated with that model.

Start with the organizational roles of political parties. British parliamentary party cohesion is undoubtedly salient for Americans frustrated by notoriously less unified congressional parties. The cohesion is not absolutely uniform; occasionally, dissidents do vote against their party positions, and more exceptionally, revolts are substantial enough

[2] Electoral rules are, however, treated as highly influential in the latest and most impressive recent study of the impact of institutional arrangements on governmental capabilities, Kent Weaver and Bert A. Rockman, eds., *Do Institutions Matter? Government Capabilities in the United States and Abroad* (Washington, DC: The Brookings Institution, 1993). Note the summary statement by the editors at 449–450.

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to force the leadership of a governing majority party to retreat from a policy position either before or after a parliamentary defeat. After a single such defeat, a government does not really have to resign as long as its majority support is renewed in a specifically labeled vote of confidence as well as in subsequent policy votes.[3] The renewal of support occurs because parliamentary cohesion remains the norm, for the majority party and also for its principal opposition, even though rebellions are more frequent and more serious in certain periods than in others. In this respect, British party behavior so nearly resembles that in other parliamentary regimes that one looks to governmental structure to explain the contrast to American practice. Although members of the U.S. Congress most often find it useful to vote with their parties, their incentives to do so regularly or almost uniformly are modest relative to those of parliamentary members whose support is necessary for their party leaders to retain executive offices and for members themselves to avoid the risk of an untimely election campaign.

The structure of parliamentary government in Britain and elsewhere is associated not only with party cohesion in legislative matters but also with a greater party electoral role than American parties possess. British MPs, much more clearly than members of the U.S. Congress, are elected as supporters of their leaders. They are expected to be loyal partisans both by ordinary voters and, more critically, by the organized party members who choose the candidates to bear major-party labels in general elections. Candidate selection in Britain, however, is not highly centralized as it is in many continental European parties. Each British constituency party customarily selects its parliamentary candidate, subject only to national party rules, assistance, and occasional influence; but the procedure is as likely as a more centralized arrangement to produce reliable partisan candidates. Selection is the business of engaged activists in an organized dues-paying branch of the national party, and such activists tend to prefer a candidate who shares their strongly partisan commitment. The process, therefore, is radically different from the American direct primary in which a large portion of the electorate, with only tenuous party identification, bestows the party label.

Britain's more devotedly partisan selectors expect their candidate, if successfully elected with their considerable help, to support their

[3] Samuel H. Beer, *Britain Against Itself: The Political Contradictions of Collectivism* (New York: W. W. Norton & Company, 1982), 187–189.

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cause and their national leader. The expectation is so customarily fulfilled that constituency parties seldom need to take measures against their sitting MPs. They may even tolerate occasional dissidents, especially those who are most remote from the opposition party and unthreatening to their own party's hold on office. Nevertheless, constituency parties have the power to deny reselection, and Labour in the 1980s made it easier to exercise that power. Conservative MPs also know that deselection is an ultimate sanction of their local party organization. It need not be much used in order for an MP to bear it in mind.

The greater role of the British party than of the American involves a kind of organization absent in the United States. A regularized dues-paying membership, though suffering currently diminished numbers, gives a degree of democratic legitimacy to candidate selection that we seldom attribute to America's more loosely bounded party organizations, for whose nominations we substitute direct primaries. Moreover, British parties are national as the American are not. Members, through constituency units, belong to a national party and not to any equivalent of American state parties.

In addition to the kind of parties I have described, other institutional elements distinguish British parliamentary government from the American system in ways that are also fundamental in understanding the assumed advantages of strong and responsible government. Power is truly centralized in the party commanding the House of Commons as well as the cabinet, because that fusion of legislative and executive branches is subject to virtually none of the effective checks of a kind that exist in many parliamentary regimes, as well as in the United States. With a unitary rather than a federal system and without a codified higher law constitution, a Commons majority produces legislation that is not subject to invalidation by judicial review in anything like the manner practiced by U.S. courts and in several other democratic nations. Insofar as individual rights are nonetheless protected, it is not by a judiciary's treatment of parliamentary enactments as violations of a Bill of Rights.

Nor is a second legislative chamber able to do more than delay for a limited time the will of a determined government backed by a majority in the Commons. The same can be said for the capacity of the opposition within the Commons to check that majority. This is not to say that opposition criticism in the Commons, or even in the House of Lords, is always of no effect. It has been known to cause a government to become less determined, especially in response to pressures

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in its own party ranks, and thus to compromise or abandon what turn out to be unpopular policies. But checks of this kind, real enough politically, are not formal institutional veto points.

All of this is familiar, I realize, but worth mentioning in order to emphasize that the British system is notably farther removed from the American than are other parliamentary systems—for example, the German and even the Canadian and Australian whose adaptations of the Westminster model add institutional checks absent in Britain itself. America's traditional cultural attachments to Britain must explain why its democratic system, so drastically different from that of the United States, serves as a model for American academic reformers.

Recent Experience

American interest in pursuing the British model, especially when unhappy about its own system, may vary with changing perceptions of how well the British system works. If so, American conventional admiration should have been challenged in the last two decades. In contrast to the period from the late 1940s to at least the early 1960s, when the Westminster model was an almost universal favorite of political scientists, criticism became widespread on both sides of the Atlantic.[4] Not all of it is attributable to left-of-center frustrations with a system whose strong majority-party government has most recently been only Conservative. Even in the late 1960s and 1970s, when Labour often won parliamentary power, dissatisfaction began to mount. Perhaps, as has been argued lately, the system ceased to work around 1970 as it had during the postwar years of partisan consensus called Butskellism.[5] One small sign of discontent was a revived right-of-center concern with the absence of an effective institutional check, such as a strengthened second chamber might provide, against socialist legislation enacted by a Commons majority. Not for the first time in this century, discussion turned to a legislative body differently constituted and more powerful than the House of Lords. The idea was particularly appealing when

[4] An early influential scholarly example is the critical analysis by Kenneth N. Waltz, *Foreign Policy and Democratic Politics: The American and British Experience* (Boston: Little, Brown and Company, 1967).

[5] The point is explicitly made by Richard Gunther and Anthony Mughan, "Political Institutions and Cleavage Management" in Weaver and Rockman, eds., *Do Institutions Matter?* 283. See also Graham Wilson, "The Westminster Model in Comparative Perspective" in Ian Budge and David McKay, eds., *Developing Democracy: Essays in Honor of J. F. P. Blondel* (London: Sage, 1993).

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a Labour government had a slim parliamentary majority based on much less than a majority of the total popular vote.

During the 1970s, however, the British political system was also the object of criticism on broader grounds than those advanced from primarily antisocialist positions. The criticism reflected a widespread assumption that Britain generally and its government in particular were not responding adequately to national problems. The effectiveness of the political system was challenged as it had not been earlier. Majority-party government no longer seemed to have the capacity to adopt public policies opposed by special interests, thus losing its long supposed advantage over the American system.[6] Perhaps this was because the model of strong majority-party government itself weakened as close elections produced fragile majorities at the same time that intra-party dissension became more frequent and overt.[7] No such weakening persisted in the 1980s, when the Thatcher governments seemed not merely to restore a model familiar to critics as well as champions of the British system, but to establish a determined prime minister as a more nearly dominant policy maker.

Given the ambitious ideological program of the Thatcher governments, old questions about the fairness of the system were bound to be raised more vigorously than earlier. Parliamentary majorities to enact that program were now repeatedly produced by much less than half of the total national vote— specifically, 44 percent in 1979 and 42 percent in 1983 and 1987 (and also 42 percent for the Major government in 1992). In the British context, questions of fairness are more serious than they are when the United States elects a president, as it has done, with nearly as low a percentage of the popular vote. Successful executive leadership of a legislative majority, difficult in most American circumstances, is still more difficult for a president with so much less than half of the popular vote. Britain's fusion of executive and legislative authorities takes care of that problem, but its consequent concentration of power does not look so legitimately democratic when the power-holders lack anything close to majority support.

Certainly, the results of first-past-the-post election became more troubling in the 1980s than they were in the 1950s, when the winning party was nearer the 50 percent mark and when the principal opposition

[6] Beer, *Britain Against Itself*, 23–76.

[7] Leon D. Epstein, "What Happened to the British Party Model?" *American Political Science Review* 74 (March 1980): 9–22.

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party won most of the remaining votes. Now the argument for a proportional election method was attractive, and not only for the third party that had won almost a quarter of the popular vote but less than 4 percent of the parliamentary seats. Particularly after the 1992 election, some Labour leaders, discouraged by their fourth consecutive loss, also began seriously to consider changing the method of election. Relatively pure proportional representation, Italian style (pre-1994), remains a most unlikely option; but Germany's dual arrangement, France's second ballot, and Australia's alternative vote (in House races) have some support.[8] Unlike pure proportional representation, each of the other options might be expected to produce a single majority parliamentary party (or at least a dominant nonmajority party) only somewhat less probably than does first-past-the-post election. Thus, the less unlikely change in election method—*if* any change were to be made—appears compatible with something close to prevailing British party government.

Such government, concentrating power in a single party's leadership, is now also open to a new line of criticism, because only one party, the Conservative, has exercised the power for an unusually long period. Already in office for over fourteen years, the Conservative party has surpassed its postwar record of 1951–1964. Opposition politicians are not alone in believing in the desirability of alternation in office after a decade or so of party policy making in a highly centralized state. A prominent British political scientist, writing in the wake of the surprising fourth straight Conservative victory of 1992, treats the continuing hold of one party as a democratic abnormality.[9] On the other hand, when there was frequent alternation between Conservative and Labour election victories, particularly in the 1970s, an entirely different criticism had emerged. Then, a lack of continuity in economic policy making became a source of complaint as socialist and nonsocialist parties succeeded each other in holding the largely unchecked power of British government. Illustrative was what happened to the steel industry: nationalized by Labour early in 1951, denationalized by the Conservatives in the next few years, renationalized by Labour in 1967, and then denationalized—or privatized—by the Conservatives

[8] At one stage, a Labour party commission recommended that the party propose an election method similar to the second or third of these possibilities. See *The Economist*, 3 April 1993, 61. Later, the party appeared to consider still other methods.

[9] Anthony King, "The Implications of One-party Government" in Anthony King, ed., *Britain at the Polls* (Chatham, NJ: Chatham House Publishers, 1993), 223–248.

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in the 1980s. The example is admittedly extreme and also of less consequence than certain monetary and fiscal policy changes identified with each of Britain's major parties. But it makes the point that troubling reversals can occur in a system that transfers power so fully as does a British parliamentary election.

Returning to the different and current complaint about too much continuity, one might respond that a kind of democratic process operated to change the leadership of the Conservative governments during their fourteen years of power. After eleven and one-half years, Prime Minister Margaret Thatcher was replaced by John Major as a result of an internal party revolt against Thatcher, her methods, and certain of her policies. In some degree, power was thus shifted by the votes of the Conservative party's MPs. Only in a most indirect sense, could the electorate be said to have played a part. The revolt of Conservative MPs, while linked to disputes over the European Union, did also significantly respond to the manifest unpopularity among voters of a particular policy—the poll tax, or community charge—with which Thatcher was strongly identified and from which she refused to retreat. And a year and one-half later, the electorate confirmed Major's hold on office.

The long period before Thatcher's downfall deserves further discussion. Under her dominating leadership, Conservative governments carried through legislative programs whose breadth and coherence matched those of the ideologically different Labour programs of the first postwar years. For example, the political system was as useful for massive privatization of industry as it had been for massive nationalization forty years earlier. So too did the Thatcher governments successfully restrict trade unions, lower income taxes, and modify various social policies in a consistently pro-private enterprise direction. At the cost of high unemployment, inflation was controlled for a while—but only for a while—and spending and revenues were for a few years closely balanced. Altogether, whatever one's opinion of the policies themselves, they displayed the same programmatic capacity of the British system that had been admired by Americans during Prime Minister Clement Attlee's Labour governments of 1945–1951. More than ideology distinguishes Thatcher's program from Attlee's. As Anthony King points out, Attlee's program came from his party and appeared in its election manifesto of 1945, while Thatcher's emerged (as had Prime Minister H. H. Asquith's far-reaching Liberal program before

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World War I) from diverse intellectual sources.[10] Party is thus more the engine for enacting a program than for developing its ideas. But that, of course, is sufficient to distinguish the British system in the eyes of Americans frustrated by the limited capacity of their parties to enact programs.

Whether the stronger British party government makes for "better" policy output than does the differently structured American system is a question that permits no ready answer. Determining what's "better" involves disputes about measurements and evaluations in highly specialized fields, and even if determined objectively the "better" output might be attributed to advantageous national circumstances rather than to particular political institutions. The complexity of the problem is revealed when the performance of parliamentary and presidential systems is explored, as it has recently been, in such policy areas as pensions, energy, budgets, environment, trade, and nuclear weapons. Institutions do matter, the authors of these studies show, but not in any simple and readily generalizable way.[11]

Before leaving the British system for a look at how Americans contemplate institutional changes to achieve the advantages associated with that system, I note the limited British interest in adopting American practices. As far as I know, the now numerous British critics of their own system never want to substitute anything like the American separation of executive and legislative powers for the fusion of the parliamentary system. Closest perhaps are proposals for a strengthened second chamber, but their purpose is ordinarily only to influence, by delay, the policies of an executive leadership based as before on a Commons majority.

A more substantial check available from American experience is judicial review, but it is compatible with the fusion of executive and legislative powers and can indeed be found in parliamentary regimes as well as in the United States. A codified constitutional bill of rights, interpreted by courts to limit legislative and executive authorities, is the evidently essential element, and a bill of rights of that kind is now seriously discussed in Britain. The European Community, no less than the United States and other nations, provides relevant experience. British

[10] Anthony King, "Political Change in Britain" in Dennis Kavanagh, ed., *Electoral Politics* (Oxford, England: Clarendon Press, 1992), 25–50.

[11] Weaver and Rockman, eds., *Do Institutions Matter?* See also Matthew Soberg Shugart and John M. Carey, *Presidents and Assemblies: Constitutional Design and Electoral Systems* (Cambridge, England: Cambridge University Press, 1992).

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interest in a bill of rights increased as liberal opinion responded to what it perceived as high-handed violations of individual liberties by the Thatcher governments.[12] Similarly conceived as desired restraints on an apparently omnipotent government, but without separating legislative and executive powers, are proposals for constitutionally protected regional authorities—federalism—that arise partly as responses to Scottish and Welsh pressures but partly also in behalf of strictly English subnational units. Their vulnerability became apparent when a Conservative parliamentary majority simply abolished the London County Council in the 1980s.

A Model for the United States?

In speaking of Americans who look with favor on British parliamentary government, as Britons do not with respect to the American separation of executive and legislative powers, I have in mind only limited numbers, mainly in the academic community. We have every reason to assume that an overwhelming majority of Americans in and out of active politics prefer the system to which they are accustomed. That system prevails in each of the fifty states as in the national government, and it has so prevailed since the early days of the Republic when states began separately to elect governors and legislatures if they had not done so previously. No new state has fused executive and legislative authorities in the parliamentary pattern. Such fusion, though possibly subject to challenge in Congress when a state sought admission, would almost surely meet the vague standard of "a Republican Form of Government" guaranteed to each state by Section 4 of Article IV of the U.S. Constitution. The absence of even a single state's experiment with parliamentary government is strong evidence of American dedication to the separation of legislative and executive powers. For a political scientist, it is nonetheless regrettable that no state has tried parliamentary government and thus served as an experimental laboratory as have states in other respects. I know of no advocates of that experimentation. Nor is it discussed as a foreseeable result of an otherwise unfortunate Canadian break-up that would lead one or more provinces to become American states while persisting in their fusion of executive and legislative powers.

The only proposals that I know for parliamentary institutions in the United States are at the national level. Many of them, along with other

[12] Alan Ryan, "The British, the Americans, and Rights" in Michael J. Lacey and Knud Haakonssen, *A Culture of Rights* (New York: Cambridge University Press, 1991), 366–439.

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suggested changes, are fully discussed by James Sundquist in an excellent recent book.[13] My attention, like his, is focused on reforms that seek the strong party government characterizing the British model. These reforms assume the continuation of election methods conducive to two-partyism and thus to majority-party government, but they also usually assume the maintenance of certain other American institutions that would limit even fused legislative and executive authorities as they are not limited in Britain. Federalism and judicial review are notable cases in point, and so is bicameralism unless the power of its second chamber is materially reduced as some reformers do propose. Insofar as any of these significant institutional checks are left in place, considerably less than the whole Westminster model will have been transplanted.[14]

American interest in moving in a parliamentary direction comes not only from the recently prolonged experience with divided government—different parties controlling legislative and executive branches. Interest arose also when Democratic presidents and Democratic Congresses disagreed during the Carter administration, as they had as far back as the late Franklin D. Roosevelt years, when conservative Southern Democratic representatives and senators began to oppose liberal presidential programs. More often in the last few decades, however, the efficacy of the American system has been challenged by divided government. The familiar fact is that for twenty-eight of forty-six years, 1947–1993, the party holding the presidency lacked a majority in one or usually both houses of Congress. The twenty-eight years included six two-year periods immediately following presidential elections. Previously, while the president's party had occasionally lost congressional majorities in midterm elections, it had won majorities in both houses of Congress in every presidential election from 1888 through 1952. Then, the basis for at least a degree of party government existed for two years in every four.

When even that prospect seemed to have vanished, particularly after George Bush's election in 1988 as a Republican president with another Democratic Congress, many political scientists, rather than turning to a parliamentary model, sought to reconcile themselves to divided government. Some hoped that it would work now that a supposed moderate Republican was in the White House and compromise-minded Democratic majorities in Congress. Perhaps, it was said, American voters actually

[13] James L. Sundquist, *Constitutional Reform and Effective Government* (Washington, DC: The Brookings Institution, 1992).

[14] A similar point, stressing that Britain's model is only one type of parliamentary government, is made by Weaver and Rockman, *Do Institutions Matter?* 1–41.

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wanted the branches to be controlled by different parties, and thus divided government was not merely the fortuitous aggregation of individual-candidate preferences. Survey data do not really support that idea, though certain findings appeared to do so because of the way questions were stated.[15] In other words, being wedded to the separation of powers does not necessarily mean that Americans want those powers to be controlled by different parties.

A much more substantial revisionist case for divided government is made in David Mayhew's careful comparison of legislative policy outputs under divided and unified governments. Focusing on the forty-four years from 1947 through 1990, Mayhew found that important legislative enactments were about as numerous per two-year Congress in the twenty-six years of divided government as they were during the eighteen years of unified government.[16] Although Mayhew's findings persuasively refute the linkage of divided government with inaction on important policy matters, they do not, as Sundquist argues, answer critical questions about the quality of legislation, nonperformance in certain areas, and, most significantly, accountability for failure.[17] Best known is the failure to control taxes and expenditures so as to avoid the massive deficits produced during the years of divided government in the 1980s. Many of us share the belief of the leading scholarly specialist in budget-making procedures that the deficit outcome "would have been different if either party had controlled both branches of government."[18] So it seems from the whole record since World War II: of the fourteen years in which the federal deficit exceeded 3 percent of the gross national product, every one came during a period of divided government.[19]

Furthermore, just after Mayhew's study, divided government looked generally less attractive as the Democratic Congress and the Republican president seemed increasingly stalemated on domestic issues in the last two years of the Bush administration. "Gridlock" is the invidious term applied to an arrangement that had for a while been at least reluctantly accepted. How much the desire to end gridlock played in the 1992 election

[15] Michael Mintrom and Howard Scarrow, "Do American Voters Favor Divided Government?" (paper prepared for presentation at the Midwest Political Science Association Annual Meeting, Chicago, IL, 15–17 April 1993).

[16] David R. Mayhew, *Divided We Govern: Party Control, Lawmaking, and Investigations, 1946–1990* (New Haven: Yale University Press, 1991), 34–99.

[17] Sundquist, *Constitutional Reform*, 101–106.

[18] Allen Schick, "Governments versus Budget Deficits" in Weaver and Rockman, eds., *Do Institutions Matter?* 229.

[19] *The Economist*, 3 April 1993, 22. Eleven of the fourteen years were in 1982–1992.

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of a Democratic president along with a Democratic Congress is unclear. At any rate, the American system's capacity to produce results is now being tested in the presumably favorable circumstances of unified government. In at least one respect, those circumstances are more favorable than they were a few decades ago; Democratic congressional majorities include fewer Southern conservatives than they did during earlier Democratic presidential administrations. On the other hand, the Democratic president's leadership may suffer from his election with only 43 percent of the popular vote.

The reason for speculating here about the Clinton administration is that failures, or only limited successes, would almost certainly reinvigorate proposals for reform of the American political system in a more or less British direction. Those proposals are of two kinds. One requires constitutional amendments to establish parliamentary government, or at least certain crucial aspects of it; but the other seeks to change only certain political practices so as to achieve strong party government like that of the British model but without the parliamentary system itself.

Among proposals for constitutional reform, Charles Hardin's of 1974 is a good example of full systemic transformation. It includes a concentration of legislative power in the House of Representatives, allowing the Senate only to delay legislation and no longer to have the power to approve treaties and presidential nominations for office. Hardin would have House members and the president elected simultaneously for four-year terms, with enough members elected at large and as a result of their party's presidential victory to ensure that party's majority in the House. He would abolish the constitutional barrier to congressional service in the executive branch.[20] Hardin proposes other important changes, including decisive presidential and congressional nominating roles for a party's public office-holders, but his constitutional revision is especially striking because of its approximation to the British model. While retaining in form the president, the House, and the Senate, he converts these branches into a virtual parliamentary system by linking presidential and House elections and by materially reducing the power of the Senate. The relevance of the latter is plain enough in light of the Senate's blockage in the spring of 1993 of President Clinton's economic stimulus package. To be sure, the blockage was possible because a minority effectively used a Senate rule allowing a filibuster; that rule could be repealed without

[20] Charles M. Hardin, *Presidential Power and Accountability: Toward a New Constitution* (Chicago: University of Chicago Press, 1974), 183–184.

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Hardin's proposed constitutional change. His change would do much more by way of reducing Senate power, but in so doing it would also render useful a filibuster against proposed legislation.

By no means is Hardin the only late twentieth-century advocate of constitutional reforms of a parliamentary character. Others are almost equally drastic in their efforts to fuse executive and legislative powers, and some earlier proposals sought also to curb judicial review and state powers when those institutions appeared to be impediments to strong national government—as they do not seem today. Generally, however, changing the fundamentals of the U.S. Constitution is so remote a prospect that the exercise is academic in the pejorative sense as well as in the ordinary sense of the word.

Interest, therefore, is persistently greater in the kind of reform that tries to achieve British-style party government without changing the Constitution. The principal suggestion is to strengthen American political parties mainly by efforts within parties themselves but also with the help of legislation newly favorable to party organizations. Under the rubric of responsible-party government, the advocacy has a hundred-year history and many distinguished academic supporters.[21] Its most famous statement was published in 1950 as a report from a committee of the American Political Science Association.[22] Then, or on other occasions, proponents of responsible party government wanted to strengthen each of the two potential majority parties by promoting active programmatic memberships, midterm national conventions, closer links between presidential and congressional candidates, cohesive congressional caucuses reflecting national party policies, organizational membership influence in (if not control of) nominations, closed instead of open primaries if there are to be any primaries at all, freedom from burdensome state regulations, public funding of party campaigns, and higher legal limits on private funding of party campaign activities. Fulfilling the entire wish list might come close to establishing indirectly, almost by stealth, the equivalent of British parliamentary party government. So much seems as unrealistic as the straightforward constitutional changes. Both encounter the American political culture's resistance to majoritarian democracy of the British kind.

[21] On the early advocacy, see Austin Ranney, *The Doctrine of Responsible Party Government* (Urbana: University of Illinois Press, 1954).

[22] Committee on Political Parties, American Political Science Association, "Toward a More Responsible Two-Party System," *American Political Science Review* 44, Supplement (September 1950). The committee chair was E. E. Schattschneider, whose *Party Government* (New York: Farrar and Rinehart, 1942) more cogently presented his own position than did the committee report.

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Certain party strengthening proposals, however, may be partially attainable, particularly by way of pro-party campaign finance legislation and through internal party efforts to link presidential and congressional campaigns. So too within reach are a few modest nonparty institutional reforms like the line-item veto that Sundquist suggests.[23] Accordingly, I close by stressing hopes for improvements in our political system while remaining skeptical about prospects for its transformation.

Discussion

Moderator: Ira Katznelson

Gillian Peele: I want to emphasize much more than Leon Epstein does the extent to which the British model of parliamentary democracy exhibits problems and the degree of dissatisfaction with it. The second group of comments that I want to make relate to the internal dynamics of British parties. These dynamics are not sufficiently emphasized in Epstein's paper. If one looks at developments over the last decade, one will see a degree of untidiness in the British parliamentary system that certainly makes it not a model for export. Finally I want to emphasize the extent to which the familiar model of British government has changed in administrative and political terms. Epstein suggested that Thatcher had restored the traditional model of working parliamentary democracy to some extent. I want to suggest that, on the contrary, the period of Conservative governments since 1979 has seen a very substantial transformation at many levels of the system.

With those three broad headings in mind, let me first turn to the general issue of legitimacy in the system. The period since 1979 has seen growth of very real, deep, and broad dissatisfaction with the whole constitutional framework. Evidence of this can be found in a number of different areas. Look at the prolonged constitutional debate that occurred in the period 1987–1992, the last general election. You don't see that much debate at the moment, because everybody is so absorbed with the entrails of the Maastricht Treaty. But once that is

[23] Sundquist, *Constitutional Reform*, 323–324.

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out of the way, you will see a resumption of some of these debates, which affect a whole range of British practices: electoral reform, the role of the House of Lords, the role of local government, the question of the Bill of Rights, the question of authoritarian and centralized government. All of these issues are bound to recur within the British political system. They are no longer solely an academic obsession. There used to be a combination of academic obsession and Liberal Democrats who, of course, had little to gain from the status quo and obviously advocated constitutional reform as a way of enlarging their own political clout. What is interesting now is the extent to which the Labour party belatedly has picked up on the constitutional reform agenda. Labour hasn't done this for reasons of political self-interest. It is not going to be able to wriggle out of a number of the commitments it made – for example, to a Scottish assembly. The major opposition party is committed to a degree of constitutional change. Labour has been discussing various methods of electoral reform. But Labour seems unwilling to commit itself to outright proportional representation. All that John Smith, who died in May 1994, pledged himself to was a referendum. Yet even that is a dangerous pledge. I cannot imagine a Labour government elected with a majority that would risk party unity and its governmental majority by holding a referendum on electoral reform. Smith's commitment to the referendum is probably going to be revised. But the electoral reform debate is no longer limited to the third party in the system. It is demanded by a much broader section of British public opinion. So the key to stability in the system is at issue. The first-pass-the-post system is on the table for discussion.

If one also looks at the parliamentary level, the system is not working well. The way in which Parliament operates has normally been fairly clear cut. Parliaments have had majorities that got their legislation through, and the government has been able to control any amendment to legislation it has not liked. More recently, management of the parliament has become much more difficult. I think there is a fundamental and long-term change in the attitude to dissent and of ordinary MPs to their leaders. MPs are much more likely to push their own independent viewpoints before a vote in committee or on the floor. Today the agenda of politics contains issues cutting across party lines. They don't divide the parties from each other; they divide the parties internally, which provides a major headache for the party managers. In many senses, the way the system operates is subject to criticism. A number of fundamental questions should be asked about the constitutional structure.

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Many people in the United States think the battle for control of the Labour party has died down. I don't think it has. In the 1980s the Labour party was fundamentally transformed with the transfer of power from the parliamentary Labour party to many of its extraparliamentary elements. The Campaign for Labour Party Democracy wanted to give the extraparliamentary movement—the trade unions and the activists to the left of the parliamentary party—power over the choices of leader, parliamentary candidates, policy making, and the manifesto. They got a large amount of what they wanted in formal terms, but they did not quite get the manifesto control. It was halted in the short-term by the determination of Neil Kinnock when he got the leadership to use those powers to transform the party in a way which would make it electable. That meant trying to turn the party into a different kind of party from the one that has existed since 1900.

The Labour party is a federation of groups whose internal processes are anything but democratic. So the movement to give more internal democracy to the Labour party as a whole involved giving more power to very undemocratic groups. What Kinnock wanted to do was to try to change the basis of the Labour party to much more of a mass membership party, not relying on the block votes of trade unions, indirect participation, or delegate democracy. Kinnock's agenda is unfinished; a struggle between these two conceptions of intraparty democracy is still going on. The unions do not like the idea of having their power over policy, selection of parliamentary candidates, and party leadership removed or reduced while at the same time they are expected to pay 90 percent of the funding for the Labour party. Being shrewd and tough politicians, they are not inclined to go down this route without further discussion. Smith was committed to change the style of the party, but he hadn't secured union support, and he hadn't managed to persuade large numbers of individuals to join the Labour Party to give it a new individual-membership base. If Labour were ever to come back to power on its own, the implications of the internal developments would be substantial. It is unlikely that the newly enfranchised extraparliamentary party would again be willing to subordinate itself to the parliamentary wing of the party.

Interesting things are going on in the Conservative party as well. The attitude toward the leadership has radically changed. One of the rules the Conservatives introduced makes it very difficult for the incumbent leader to win once a challenge has been mounted to him or her. The structure of the ballots makes it almost inevitable that unless

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the other candidate is a stalking horse or a Mickey Mouse candidate, the incumbent leader will be badly damaged by any contest. This makes the whips try to hold off any kind of leadership challenge to the incumbent, which in itself creates an atmosphere of nervousness within the party. Twenty or thirty years ago people did not worry about whether or not there was going to be a leadership challenge in the following parliamentary session. Now I think there is a great deal of nervousness, because the action of a small part of the party can trigger a contest, which in turn can undermine both the unity and the strength of the leadership and indeed can oust the leader.

The whole British system of government is a very different animal from what it was prior to 1979 and has consequences in terms of the system's legitimacy and responsiveness. There has been an emphasis on managerialism in the Civil Service and creation of a new set of agencies to deliver services. The old structure of the British Civil Service with its clean line of accountability has broken up. Two-thirds of British civil servants no longer work for the central core of the Civil Service. They work in increasing numbers of agencies. The accountability of these agencies, which have been narrowly defined to deliver particular services, is at best obscure. The new instruments of accountability will have to be devised to look at the way agencies like Social Security Benefits perform their functions. There is a second point related to this. The rise of appointed bodies as substitutes for elective bodies has been very important in British politics.

Since 1979, the British Conservative governments, with some help from Labour, have chosen to create a range of bodies that are not accountable in any way to elective authority. This movement to a management state away from a democratically accountable one has been done in the name of efficiency. It is an ideologically inspired change, with profound implications for the character of British democracy and is likely to be permanent. Many people fear that local government may wither away entirely, since much of its past major responsibility has been removed.

A final range of changes, which are not the direct result of the Conservative government, come from the British participation in the European Community (EC). Britain has begun to experience the full implications of joining in 1997 a new legal order. The character of the British state is changing. It is not a stable model of government. It is beginning to absorb influences from outside and to adopt a number of new features, judicial review being the obvious one. Policy making

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in the British government is still much more coherent than in America, and it is much easier to get a program delivered as the Thatcher governments did. On the other hand, there is growing dissatisfaction with the lack of responsiveness of the system, its centralization, its lack of control of central power by either localities or pressure groups. This unresponsiveness to popular sentiment is very dangerous in terms of the overall legitimacy of the system. What the resolution will be I do not know. I expect at the next election there is to be a very much more mixed outcome than at the last four elections. Perhaps there will be a hung parliament.

JAMES B. CHRISTOPH: I agree with a number of the key points Leon Epstein has made, particularly his emphasis on the centrality of a certain type of party system to the British form of parliamentary democracy, the problems inherent in trying to attribute specific policy outcomes to parliamentary structures, and the difficulty of replicating British constitutional practices elsewhere. But it seems to me that concern for the condition of British politics today also compels us to deal with two other questions. Would a broader, more inclusive concept of British parliamentary democracy yield the same conclusions that Epstein reached? And is it possible that even the model he has employed has evolved into something rather different today from what it was in 1950 or in 1979, the year Thatcher became prime minister.

The Westminster model that Epstein has discussed is centered on majority party domination of the key areas of decision making, especially through control of Parliament, a cabinet of likeminded leaders, and ministers accountable to Parliament for decisions made by officials in their departments. That model has been shown to be effective in producing coherence in government policies, as well as a kind of responsiveness by permitting the party in power to carry through promises it made in its election manifestoes, rather than ensuring much real accountability of governmental leaders to public opinion except at election time. In the British version of democracy, at least until the advent of Thatcher, there operated side by side with the Westminster model another set of imperatives that moderated the impact of the high degree of party centralism and domination by the political executive stressed by Epstein. These features served to blunt the monopoly that

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party rule might have achieved, and in that sense produced an unwritten but useful political balance not unlike that contained in the eighteenth-century idea of a balanced constitution. I will single out four elements of such a counterpoise that served as some kind of a check on majority party domination through most of the twentieth century.

The first is the subtle power of Whitehall, that is of the permanent, nonpolitical senior civil servants to whom ministers often deferred for ideas and advice in both making and carrying out government policies. A second element that provided a degree of pluralism was the character of the cabinet itself, which while composed solely of members of the majority party was often heterogeneous in the sense of containing independent-minded politicians not entirely beholden to the prime minister for their positions or futures. A third element was a fairly viable system of local government which, if never as important as its American counterpart, nonetheless was not under the thumb of central party figures and often gave the opposition parties bases to insure survival and some voice in actual governing. The last element I would single out is what I call semi-ideological politics, the peculiarly British balance between strongly held political beliefs and a willingness not to press them unremittingly to their logical limits in practice.

For many years the majoritarian/party rule elements of British government were modified, although not paralyzed, by the effects of these four satellite elements, and a rough balance between the two imperatives kept monopoly and centralization at bay. In the past fifteen years the satellite elements have shrunk substantially under the impact of Thatcherism, and we remain uncertain in the Major years whether a restoration of the earlier balances will occur. As Gillian Peele has mentioned, the civil service has become politicized, managerialized, and decentralized; and under the new agency concept senior civil servants no longer play the balancing roles they once did in influencing the course of policy. Under Thatcher the cabinet met only half as often, and until late in her tenure seemed unable or unwilling to stand up to the prime minister. Watching the knee-jerk hyperpartisanship of a televised House of Commons debate is seldom an edifying experience. Local government has lost almost all of its historical powers under the centralizing impact of three Thatcher administrations, with no relief from the trend in sight from Major. Ideology in the older sense of the term may be dead in Britain, but the modes of thinking imported into government from the Conservative think tanks and the schools of business are a far cry from the pragmatic consensualism

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that ruled the roost in the mid-decades of the century. It strikes me that the British political world and the prospects for its democratic development are very different today from even fifteen years ago. The older models can explain only a part of what has occurred.

IRA KATZNELSON: There has been a growing literature on the state in political science. States are, among other things, ensembles of institutions. But they are more than just bundles of institutions. They are at minimum locations and claims about sovereignty and the character of sovereignty over people and territories. Both presidential and parliamentary forms of democracy and state make implicit claims about the character and location of sovereignty, which in turn connect deeply to a series of normative issues about what constitutes a good polity and a good society. There is no such thing as a state that does not in its institutional organization convey and express a series of moral imperatives about what is good, what is just, what is appropriate, what is desired. Institutions embedded in this terrain of sovereignty and normative orientations are always in transaction with other key large-scale institutions, whether they be economies or whether they be located in civil society. The linkage between state and civil society has been the centerpiece of modern political science.

How has the British parliamentary system been distinctive with respect to the kind of state it is and has been? How has that distinctiveness shaped the character of civil society with which the state transacts? How has that civil society shaped and reshaped the parliamentary world? Institutions matter, but often we think of them mattering in too narrow a way. Institutions, like parliaments, are about the central contested questions of political regimes. The Parliament was an astonishing invention, because it managed to recognize the undivided sovereignty of the monarch while making monarchical sovereignty meaningless. It so recognized the unitary sovereign that it rendered itself the only instrument for its practical expression. That move was the first great modern political empowerment of civil society. But what kind of society was empowered and how have changes to Parliament over time shaped that society which in turn has shaped Parliament?

Alexis de Tocqueville contrasted the English parliamentary system to the French and observed that England was distinctive, first because of the relationship between aristocracy and Parliament. The unusual openness of the English aristocracy was a product of the parliamentary representative system, which Tocqueville contrasted with the French. The mutual constitution of Parliament and civil society was the first

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example he gave. A second key issue identified by Tocqueville was the question of centralization and decentralization. He observed that the English Parliament permitted far more decentralized administration. For example, the local administration of the Poor Law meant that there was a greater degree of freedom for variations in civil society not permitted in other institutional frameworks.

Religion was Tocqueville's third theme in which he talked about a particular kind of secularization in Britain, which left an established church in place but recognized the supremacy of Parliament. His last issue was what he called uniformity, the degree to which Parliament sought to impose uniform policies and practices. Transformed, to be sure, we are still discussing Tocqueville's issues today.

LOWI: We are missing some continuity about how we adjust our theories about ourselves. What do the British think about themselves? Are they revising theories in ways that reflect their institutions? The idea of balance in the earlier British system was the elected dictatorship on the one hand or the Parliament versus the senior Civil Service, which was an elite upper-class thing. So there were two sets of social forces as well as a kind of separation of powers, constantly at odds. That seems to be changing to managerialism. Is that not significant? Is there not something more to say about that than the fact that it is occurring? In some ways good news and in some ways bad, but are we altering what there was of the separation of powers? What is the transformation in British thought in these forty years, facing the fact that the British are doing very poorly economically compared to the rest of the Western democracies. Isn't that giving cause for them to alter their theories about themselves as well? In the Italian case, I am depressed and impressed by the differences in point of view between Calise and his two older colleagues. Maybe they are just too comfortable with the past, and Calise is part of the new generation. But there were differences among them as to how to theorize, how to think about Italy, not only whether the particracy is over, but what did it mean in the first place? What's changing it with the notion of video democracy or video politics that I think is contrary to what Sartori says. But it has not yet been accumulated into a consistent theory. We are getting intimations of changes that may in fact be convergences.

PEELE: The most important change is the movement away from British reliance on parliamentary democracy as the protecting force within the democratic framework and the change in the Labour party, in

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particular toward thinking about institutionalized protections through a Bill of Rights. Previously Labour hated anything that would constrain central power because it could not deliver a redistributive program and hated anything that might give extra power to the judges. The movement of the Labour party in this direction is absolutely crucial. The Conservative party, because it has been in power, has not contributed to the debate. There are some interesting contributions from the think tanks that have been involved in the debate about constitutional form. Conservative theories of local government have moved toward emphasizing managerialism and service delivery, almost at the total expense of seeing any value whatsoever in local government. Some real ideas are being bashed around.

EPSTEIN: I am a little skeptical as to how firm the Labour party is in this direction. It has been out of power a long time and was discouraged by its failure to come back as expected in 1992. I wonder whether it will sustain its interest in limiting centralized power if it enjoys power again.

CHRISTOPH: The British themselves are wrestling in their way with Ted Lowi's question. Many of the old bets are off. Major institutions have been deconstructed but a new synthesis has yet to emerge. In fact, some of the steps that have been taken have been quite contradictory—for instance, centralization in the name of decentralization under Thatcher. If there is anything left of the classic outline of parliamentary democracy, it needs to be reassembled and made to give answers to newer questions. It may be that the impetus for such a development is coming less from the level of grand constitutional thinking and more from the policy sectors. If one takes the educational system, for example, new institutional designs are calling into high relief the question of how national objectives and political accountability can be combined. The same is true of the sweeping changes in the health system. It is possible that many of the more basic changes we have been talking about will emerge more from accumulating solutions to sectoral dilemmas than from prescriptions from on high.

QUESTION FROM AUDIENCE: What is the exact mechanism used by the top leadership of the Conservative party to pick a new leader?

PEELE: It's very simple. If there is a candidate who wishes to challenge the leadership but the leadership has no openings, there is a period in which people can put their names forward. After the 1992 election

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exercise, 10 percent of the parliamentary parties must support a challenge, and the nominators and supporters have to be made public. The vote is secret, unlike in the Labour party, but the nominators have to make their names public. They could get away in the past with being secret nominators, but not any longer. If a challenge then occurs, a ballot is held. On the first ballot a leader must get 50 percent plus one of the votes plus—and this is the crucial point—15 percent of those eligible to vote. That makes it very difficult for the incumbent leader to win on the first ballot. At the second ballot stage, other candidates can come forward, unlike in the Labour party, where all the candidates have to declare themselves in the first round. It was felt that many good candidates in the party would not stand against their close colleagues in the first round. But if the leader seemed to be mortally wounded by the election process in the first round, then other candidates can come forward. On the second ballot all the candidates stand, and an overall majority is required to win. If an overall majority is not secured, a third ballot can be held. There is an academic prospect of a fourth ballot if the candidates tie. In the third ballot, it is only the top two candidates who would stand. Usually by the second ballot there is a candidate with a consensus, so that every other candidate would withdraw rather than divide the party further into a third and fourth ballot. A third or fourth ballot has never been held since the system had been operating since 1965.

QUESTION: What were the social factors that led to structural changes in the committee system? Will these changes lead to the weakening of cabinet government in terms of committee system and cut back on the power of the cabinet, while giving more power to the backbenchers? Will the increasing bureaucracy cut back social programs like public education, etc.? Did environmental factors lead to these changes? Were they solely ideological? Were there unanticipated consequences?

EPSTEIN: There certainly has been a change in the nature of the back bench membership in the House of Commons. It has become more a full-time professional occupation, whereas thirty to forty years ago a smaller percentage of members of Parliament regarded this as a professional career. I think a higher percentage do now. Of course, those who were not in government exerted some pressure for salaries, staff, etc. I think that some of their restiveness accounts for the growth in the new kinds of committees that function a little like American

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standing committees. To that extent it's environmental, but I am not sure that I would go beyond that.

CHRISTOPH: One of the things that is happening in this professionalization is the search by MPs for roles that do not challenge overall party cohesion and discipline. The select committees are giving individual members of Parliament a chance to recapture some of their earlier importance. I have never quite understood why Thatcher allowed them to come into being in 1979, given her views of the role of Parliament. The committees do offer some opportunities for specialization not usually associated with political elites in Britain, which probably has also enhanced their standing with outside groups.

EPSTEIN: These select committees are not the committees that Gillian Peele was referring to before as a standing committee, where with a small majority a few Conservative MPs can upset the apple cart. That is something else.

PEELE: Yes, there are standing committees and legislative committees. I think what's been said about select committees and the environment is absolutely correct. The MPs have been gnashing their teeth about lacking power with the executive. The only way to give them that power was to separate the legislative process where the government would control it and give them more power in terms of a committee structure, where they could also form cross-party alliances. This system, after several experiments, was made comprehensive and permanent in 1979. Although recently there has been a great deal of manipulation of the membership of the select committees, they are about as powerful an instrument as you can get in the House of Commons. They've been enhanced, of course, by television. Part of the danger from the government's point of view is that a televised investigation will magnify the government's embarrassment in the policy arena. In the Cabinet subcommittees there hasn't been much real change. You need a proper system of Cabinet committees to make the idea of collective government work at all.

Both parties have wanted to improve education standards and to control content. The Conservatives have gone further by taking away a lot of powers from local authorities over the management of schools. So in the control of the curriculum and the day-to-day management of schools there has been a successful attempt by the Conservative government to bypass local government. But there is now a great deal

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of agitation about the delivery of the national curriculum involving testing. Teachers are saying it is taking up much more time and is upsetting the pupils. A number of schools don't want to opt out of local authority control, they prefer to stay within it. What you're getting in British education is a degree of centralization but also a degree of managerial devolution.

QUESTION: My concern was that it seems that the committee system increases democracy whereas the bureaucratic system moves away from democracy.

PEELE: The view of the Conservative government was that these policies would be popular generally and that they were going to force them through regardless of what the local authorities thought about them. They have done that. The government did not set up the select committees system itself; it allowed it to be set up, but it was a general decision by Parliament as a whole. If the government had vetoed it, it wouldn't have happened. But I don't think it was a government initiative.

CARALEY: But even with these changes is there still not the possibility of the government passing in Parliament a policy on a party line vote, even though a minority of the majority party is actually opposed and the entire opposition party is opposed?

EPSTEIN: I think I can answer Caraley's question quickly. It seems to me that you've heard of a rather well-known example in the British system of a piece of legislation that was enacted without much evidence of even large minority support but certainly not majority support in Parliament: the poll-tax case. Mrs. Thatcher's own adherence and devotion to it at a time when she was in a strong position put it through when many Conservative MPs had doubts about it but nevertheless voted for it. I don't recall an internal Conservative revolt when it first went through, at least not an overt one. But it must have been discussed. Certainly the opposition was against it, and there was a good deal of evidence of the tax's unpopularity in the country. The system it replaced was unpopular too, so maybe in the beginning the poll tax's unpopularity was not quite so clear. But this was in a sense a minority government to begin with: it had a large majority in the House of Commons, but only 42 percent of the vote for Conservative MPs in the preceding elections. No committee system or institutional check stopped the poll tax. When it turned out to be terribly unpopular, the Conservative members were determined to put an end to it when they put an end

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to Thatcher as prime minister. This was perhaps one of several crucial things that made her unpopular and weakened her position.

PEELE: One of the things that Thatcher was determined to do was inject much more control of the Civil Service and of policy from a party perspective. She did this by accepting all sorts of new developments—for example, political advisers encouraging new systems of management within the departments so that civil servants wouldn't be the kind of check on policy that they had been in the past. She also took a much stronger interest in promoting certain civil servants over others, so that they are not on political grounds in terms of style. The general message, I think, from Thatcher's highly personal premiership was that she wanted her own support mechanisms, her own sources of advice. She loathed the Civil Service, which she thought was responsible for much of Britain's economic decline. She did not like its loose Oxbridge style. She wanted entrepreneurial businessmen running key policy areas. Ultimately her autocracy brought her down, because the cabinet fell foul of her particular style.

When Kinnock became leader of the Labour party, he elevated the leadership to a much stronger role within the party than it ever had before. He enlarged the size of the leader's office; he began to take powers from the NEC (the National Executive Committee); he began to change the way of making party policy. He was the first elected by the movement as a whole, and he used that power to try to force the party towards the center and to make it electable again. I think there's no doubt that the Labour leadership was strengthened under Kinnock and incurred a great deal of hostility from the Left for that. The link with politicization is that if you move things out of the regular Civil Service and into bodies where the people who run these policy areas are appointed, the only way you can find these people is by the patronage network. So these people will be on a list of known party sympathizers, and that method of appointment will begin to permeate British government to a much greater extent than it has in the past. If you have Civil Service control of policy, you are subject to Civil Service rules for the most part. If you move things to the local or the central level, you have to find people to run those networks. Thatcher, taking a leaf out of an earlier Labour prime minister's book, made the system much more extensive. She did not believe in neutral administration; she wanted partisan control of it. Now there is a very important patronage network. If Labour came in, it would obviously have to

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change the membership of a very large number of bodies exercising significant degrees of power throughout the United Kingdom.

CHRISTOPH: The particular personalism of Thatcher probably will not survive in British politics, but what probably will is the institutionalization of so many of her prejudices, for example her hatred of the Establishment she saw embodied in a number of traditional institutions such as the Church of England, the BBC, the civil service, and Oxbridge. It is going to be difficult for them to recapture their old positions. The British social structure, heavily influenced by American mass culture and TV, also now stands as an impediment to the easy reassertion of traditional elite roles.

KATZNELSON: It's a delicious irony that the Left in the Thatcher years put a great deal of its hopes on such places as the House of Lords, Oxford and Cambridge, and the Church of England.

QUESTION: We have talked about how a fragmented and divided institutional system affects foreign policy outcomes. Sorensen looked at presidential systems and foreign policy, and he suggested that the executive in the U.S. system is faced with numerous obstacles from the legislature. He suggested that while the U.S. presidential system may be quite democratic in that numerous veto points allow various opinions to be represented in foreign policy making, this increased democracy necessarily led to less effective foreign policy. Epstein presents a very different picture of a very centralized system, in which there are fewer veto points to executive policy. In theory it would seem this kind of centralized system would mean more effective foreign policy making. Domestic political influences would be largely neutralized, and the executive would be free to make foreign policy responsive to external conditions and the external environment. In theory, a rational unitary actor model would be very effective for understanding British foreign policy. You could ignore domestic politics as if there were a single leader making policy. I wonder whether the panel members could discuss this issue. How has the parliamentary system in Britain affected its foreign policy? Has it made it more effective? Does it make any sense for foreign policy analysts when looking at British foreign policy to delve into institutional features?

CHRISTOPH: It depends on which model you're using. I doubt if the model of internal political decision making works well in foreign policy. For almost all but the highest foreign-policy questions, Parlia-

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ment is essentially out of it. An international politics model, which would include a depiction of Britain's resources and connections with other powers, might do the job better. When it comes to alliance politics, EC politics, and so forth, Parliament tends to be a bystander rather than a key actor.

EPSTEIN: I didn't mention foreign policy at all, and I am troubled by that in a way. But, there is a reason for that. I don't think comparatively there is much concern in the last forty to fifty years that the American president lacks power in foreign policy making as compared with the British executive. Americans think of their system as one that makes it difficult for presidential leadership to secure domestic policy legislation that people think they voted for when they cast ballots for president. Nobody seems to speak about it being difficult for an American president to dominate in a foreign policy field. The concern over the last few decades has been that the president may be too unrestrained.

PEELE: There is a very little parliamentary control over foreign policy. The European Community is not properly a foreign policy issue. Britain is a member of Europe; and, therefore, what is at issue is the range of foreign policy areas which affect domestic policy as well as the Foreign Office. The fragmentation occurs inside the executive, conflicts between the Foreign Office and the prime minister. That was a very real tension in Thatcher's period. She hated the Foreign Office. She thought they could not distinguish what British interests were in the first place, let alone implement policy properly.

The other problem to think about is how the machinery of government, the Cabinet, actually processes information. As we know from the Falkland crisis, it doesn't process it very well. And only when there was actually an invasion was the information taken notice of politically. You can't have too smooth a machine for processing information. I think the rational actor model, insofar as I understand how you use it, would need to take account of internal differences within the departments and certainly the extent to which every domestic department now seems to have quite a large core of foreign policy agenda, largely because of the spread of the economic issues.

KATZNELSON: Note that Gillian Peele says in passing that Europe is now a domestic matter. This has meaning of astonishing dimensions. The very boundaries between domestic and foreign policy, which once were familiar and clear, no longer are. The mutual constitution of foreign and domestic issues has grown and changed in a manner totally unexpected a quarter century ago.

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MAKING FOREIGN POLICY

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Foreign Policy in a Presidential Democracy

THEODORE C. SORENSEN

In view of the very different kinds of democracy, very different levels of presidential authority, and very different kinds of foreign policy decision making in this world, it would be presumptuous to attempt to generalize about foreign policy making in any and all presidential democracies. Instead I am speaking here exclusively about making foreign policy in America's presidential democracy.

"Presidential and parliamentary democracies—which work best?" To me the parliamentary system appears to work best in smaller, less diverse countries than the United States—countries where both the public and the politicians are familiar with the history and practice of parliamentary rule, where the states are creatures of the national government, where centralized national parties can discipline errant legislators, and where senior civil servants can largely govern the ministries. None of these conditions is likely to prevail in the United States.

I have no confidence that the power to bring the executive branch down with a legislative vote of "no confidence" would produce anything but utter confusion in this country. I have no question that requiring the president to appear before a televised session of the House for questioning on, for example, his tax proposal would be far less valuable than the Ways and Means Committee grilling the secretary

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of the Treasury on that proposal. I have no evidence that merging the legislative and executive branches in this country, requiring all members of both branches to stand for office simultaneously, would raise the level of integrity or efficiency in either branch.

But I have no doubt that the separation of legislative and executive powers in this particular presidential democracy imposes additional, though not insuperable, obstacles to our president's effective foreign policy leadership, obstacles that may not confront the prime minister in a parliamentary democracy.

In theory and appearance, the president under our system of separation of powers has almost unlimited initiative and influence in foreign affairs.

- President Harry Truman sent troops to Korea, President Dwight Eisenhower sent troops to Lebanon, President John F. Kennedy dispatched a naval blockade around Cuba, President Lyndon B. Johnson dispatched combat troop divisions to Vietnam, President Ronald Reagan invaded Grenada, President George Bush sent troops to Panama and Saudi Arabia, all without specific authorization—much less a declaration of war—from Congress. The president alone is commander in chief of our armed forces. His finger alone is on the nuclear button.
- The president appoints the secretary of State, secretary of Defense, and director of Central Intelligence, all of their subordinates, and ambassadors around the world; he receives secret briefings and cables from them, meets in private with foreign ambassadors, ministers, and heads of state. Thus he is the only officer in government who can act quickly, decisively, unilaterally, and if necessary secretly.
- To be sure, on the margins, and after long delays, Congress can deter and delay and retard a president's actions, amend them, dilute them, and eventually financially restrict or starve them; but little more. In virtually every judicial test of their competing influence in foreign affairs, the courts have held that it is the president, not the Congress (and not the court itself), who holds most of the cards.

But, in fact, presidential power in foreign affairs is far from absolute. Every modern president must contend with three rival sources of power: the power of the Congress; the power of public opinion; and the power of the press, particularly television. How each president handles each of those three rivals for influence will largely determine the success or failure of his foreign policy.

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The Power of Congress

It is real power—including the power to establish new foreign policy agencies and abolish old ones, to withhold confirmation from the president's foreign policy appointees, to confer additional powers on those appointees or remove existing power from them, to investigate every agency, action, and crisis, subpoena State Department officials, and cite them for contempt if they refuse to testify. Congress can reject, ignore, or amend the president's request for funds and authority, impose conditions he does not like, withhold funds he needs, prevent ratification of his treaties, hamstring his use of the armed forces, and in short, over time and with difficulty, halt virtually any presidential activity it wishes to halt.

A generation ago and earlier, congressional leaders largely deferred to or worked harmoniously with the president and secretary of State to advance America's role in the world, even during those periods under Truman and Eisenhower when one or both Houses of Congress were controlled by the opposition party. Even in my days in the White House, Kennedy was able simply to inform congressional leaders about his responses to the Berlin and Cuban crises. But each of his successors too often found his foreign policy initiatives blocked, undermined, or substantially altered by Congress, even during periods when one or both Houses of Congress were controlled by the president's party.

For almost three decades, our presidents and secretaries of State have carefully negotiated commitments to other countries—arms control initiatives, military assistance, economic assistance, trade and tax agreements—commitments that they believed the national interest required, only to see Congress water them down or wash them out. You might think that a great power unable to fulfill its commitments would not long be respected or trusted by other nations. But, as presidential counsel Lloyd Cutler said: We are the only major nation whose head of government cannot commit the government he heads.

Remember how the government of Panama was required in effect to renegotiate the canal treaties with the United States Senate? How the government of Saudi Arabia, to obtain AWAC aircraft, had to provide separate assurances not to the Defense Department but to the Senate?

Forty years ago, Senate Majority Leader Lyndon Johnson and House Speaker Sam Rayburn could bargain with Eisenhower on Lebanon or Formosa and deliver majorities in Congress to uphold their side of the bargain. But the greater distrust of presidential discretion and

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secrecy that grew out of our plunge into Vietnam and Watergate, combined with the steadily declining hold of our political parties on their congressional members, has substantially changed that picture. George Mitchell and Thomas Foley cannot deliver much of anyone on foreign policy issues today. As one member of Congress said, "Everybody's a Secretary of State around here. . . . You get a kick out of meddling in foreign policy."[1]

A prime example of this legislative micromanagement is the now customary addition of more than a hundred individual exceptions and restrictions on each president's foreign assistance program. Micromanagement, it's called. And yet it is clear that Congress itself cannot manage foreign policy. 535 members of the House and Senate, each representing a different local constituency, cannot—however wise and experienced—match the presidency in exercising foreign policy initiative, discretion, direction, and implementation. We cannot have, as one U.S. diplomat believes we now have, "535 ants sitting on a log floating down a turbulent river, each one thinking he's steering."[2] That number may be exaggerated, but at least seventy-five separately motivated legislators today do exercise substantial influence over foreign policy decisions.

As a result, special interest groups, ethnic lobbyists, and ideological organizations, often backed by political campaign contributions, now exercise great influence on issues of trade, military assistance, and economic development. Congress now sends its own observers to international negotiations. Individual members meet not only with heads of state but also with leaders of the political opposition and even rebel movements as well. Responsibility has spread from the once all-powerful Senate Foreign Relations Committee to a dozen or more other committees. Twenty years ago, a Middle East oil embargo produced separate legislative hearings in forty separate congressional subcommittees, most of them producing their own inconsistent "emergency" proposals to cope with the embargo long after the emergency had ended. Even within these committees, seniority counts for less. Chairpersons have less power. Congressional party leaders have less influence. Congressional staffs are large and more assertive. The result is confusion, equivocation, inconsistency, and delay.

[1] Quoted in Theodore C. Sorensen, *A Different Kind of Presidency* (New York: Harper & Row, 1984), 22.

[2] Margot Hornblower, "Hill Activism in Foreign Policy Process Continuing, Reagan Finds," *Washington Post*, 2 April 1983.

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But in truth, Congress was designed to bring about delay, not dispatch; to operate with maximum publicity, not secrecy; to respond to local interests, not national ones. Congress can deliberate, investigate, and educate – but it is ill-suited to initiative, much less effectuate.

What, then, can a president do successfully to preserve leadership in foreign policy? Certainly it is clear what the president cannot do successfully. First, every president, and Bill Clinton is no exception, tries to appeal over the heads of Congress, hoping their constituents will apply the necessary pressure. These efforts rarely succeed. Most members of Congress feel they were elected regardless of the presidential ticket, and they feel relatively immune to pressures and indifferent to commitments. Most of them had very little to do with his nomination or campaign, and in fact hardly know him. Unlike prime ministers who come from the ranks of parliament, only one sitting member of Congress (JFK) has been elected president during the last seventy years, and only two others (Barry Goldwater and George McGovern) were even nominated by major parties.

Second, some presidents try to get their way in foreign policy by excluding Congress, utilizing covert operations, secret diplomatic missions, the over-classification of documents, and the concentration of foreign policy decision making not in the State Department, whose leaders are subject to Senate confirmation and congressional testimony, but in the White House national security adviser's office, which is subject to neither. But that approach excludes not only the Congress but also the press, the public, the democratic principle of public consent, and ultimately the indispensable ingredient known as public confidence. Members of Congress resented it when, in his role as national security adviser, Henry Kissinger had all the authority but they were confined to taking testimony from Secretary of State William Rogers. As one senator put it: "They've given Rogers Norway and Malagasy, and Kissinger is in charge of Russia, China and anything else he wants."[3]

Third, each of our last several presidents has attempted to win congressional support by invoking the spirit of a bipartisan foreign policy, eloquent appeals to national unity that basically call for supporting the president. We had a bipartisan foreign policy in the 1940s, but for the last three decades it has largely been a myth – an abstract concept selectively invoked by each president in need of support and conveniently forgotten by his party once it returned to the opposition role,

[3] Quoted in Theodore C. Sorensen, *Watchmen in the Night* (Cambridge, MA: MIT Press, 1975), 97.

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a game in which each party hopes to pin responsibility on the other for some future disaster or current impasse, an artifice by which controversial decisions can be avoided or obscured.

As president, Gerald Ford once told Congress, in urging their support with a somewhat inaccurate recollection of his own record: "I have [as a Congressman] upheld all our presidents when they spoke for my country to the world. I believe the Constitution commands this."[4] No, the Constitution commands no such thing. It contemplates debate and dissent on all issues, including foreign affairs. It envisions power as the rival of power, whatever friction and inefficiency resulted, to preclude, as Justice Louis Brandeis wrote, the "exercise of arbitrary power" and "to save the people from autocracy."[5] It does not envision the executive branch making commitments in advance of congressional approval.

In short, the president has little choice other than to woo and win over the members as well as the leaders of Congress, invite them more often to the White House, offer them favors and jobs and grants and contracts and speeches and photo opportunities. More substantively, the president must be willing to consult with them in advance on all major decisions and negotiations, to accept suggestions for change, to share any acclaim. One small symbolic move is to include key members from both Houses and both parties on negotiating teams at international conferences, not as executive branch officials, which the Constitution forbids, but as something more than token observers—for example, as delegation advisers representing Congress or informal members of the delegation. Truman appointed Senators Tom Connally and Arthur H. Vandenberg as delegates to selected peace conferences. Kennedy sent members of the Senate Foreign Relations Committee to the Moscow negotiations on the Limited Nuclear Test Ban Treaty. In this and many other ways, Congress must be explicitly brought into the formulation, evaluation, and even the implementation as well as the ratification of U.S. foreign policy—because it has power.

The Power of Public Opinion

In the U.S. government, foreign policy decision making was once largely the preserve of the president and his secretary of State. No

[4] Ibid., 88.

[5] *Myers v. United States*, 272 U.S. 52, 293 (1926) (Brandeis J., dissenting).

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longer. Outside the federal government, foreign policy influence was once largely the preserve of a small elite "establishment" and a handful of internationalist newspapers. No more.

For more than two decades following the close of World War II, the power structure of American foreign policy was a steep pyramid. At the top was the president and just beneath him his secretaries of State and Defense. Beneath them was a tiny handful of other key executive branch appointees, then a larger group from State and other departments, followed by key congressional leaders. Not far from the top was a small, largely homogeneous establishment elite of private opinion leaders, wise men and women, lawyers, bankers, and others, who moved in and out of government councils and official positions. Joining them were columnists and editorial writers for *The New York Times* and *The Washington Post*. The wider and deeper layers below were occupied by a larger number of congressmen, journalists, and citizens who were knowledgeable about foreign affairs but whose influence was limited. At the bottom of the pyramid was the general public, empowered every four years to vote for a president but largely inattentive to and uninformed about most foreign policy issues except in times of crisis.

But over these last two and a half decades, both power and information in that pyramid have seeped downward. The pyramid remains. The president still has ultimate authority. Members of the expert foreign policy establishment, now far more open, diverse, divided, and broad-based, still have more influence than uninterested members of the general public. But the role and influence of each layer of that pyramid have been dramatically altered. The increasing number of executive branch agencies involved in foreign affairs is well known. The expanded role of Congress I have just discussed.

Outside of government, the foreign policy elite or establishment, once numbering at most in the hundreds—"the closest thing to a governing aristocracy that has survived in American democracy," in the words of one observer—now consists of thousands, perhaps hundreds of thousands. Once largely confined to the Washington-New York-Boston corridor, it is now found in all parts of the country. Once led mostly by Protestant white male graduates of Ivy League universities with close family and business ties to each other, the private foreign policy community is now (like the U.S. Foreign Service, the Council on Foreign Relations, and the Ivy League itself) more representative of all citizens—regardless of race, gender, and social position—who

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know and care about foreign affairs. Once focused primarily on relations with Western Europe and Moscow, it now includes specialists on Latin America, the Middle East, East Asia, Africa, and other parts of the globe. Once the elite shared a bipartisan, cold war consensus, based on the undisputed need to contain Stalinist expansion, on the memory of pre-World War II appeasement and lack of preparedness, and on the deep conviction that America had a special moral responsibility of worldwide dimensions. Now a new and expanded elite, too large to be called a true elite, which includes representatives of the "neo-conservative" Republican right and the "new politics" Democratic left, agrees on very little and shares no consensus.

It is not surprising that greater influence over U.S. foreign policy was once exercised by those who were particularly interested in it over a sustained period because of their long study and experience. But neither is it surprising that the elite's inflated share of influence on the pyramid could not be maintained, once several separate trends took hold: the sharp increase in this country's level of education, international tourism, and foreign business; the increasing sophistication, and increasing use by politicians of published and private surveys of American public opinion on all issues, including foreign policy; the influence of television; the dramatic increase in the number of presidential nominating primaries in which foreign policy issues are often debated at the grassroots; and the intense public feelings about these issues aroused by the war in Vietnam, by Watergate's spotlight on the Imperial Presidency, and by the post-Watergate investigation of intelligence agency abuses.

The American public is now heard as never before on foreign policy—through political action committees, opinion polls, call-in shows, petitions, letters to the editor and members of Congress, editorial and Op-Ed essays, pressure groups, protest demonstrations, and otherwise. Presidents have learned that their decisions on war and peace no longer enjoy the automatic passive support of a citizen majority and are not long sustainable without that majority support.

Is this a healthy trend? It is not elitism to note that American public opinion on world affairs is too often political, emotional, forgetful, inflexible, inconsistent, erratic, arbitrary, unreasonable, and unpredictable. Its demands or restraints are likely to be less professional than those of the experts, less well informed, less likely to take the long view. It rarely considers the needs of the next generation or the history of the last. It is frequently hampered by myths and misinforma-

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tion, by stereotypes and shibboleths, by an innate resistance to innovation. It is usually slow to form, difficult to distinguish, promiscuous, often volatile or even sentimental in its affection, endowing foreign nations with the anthropomorphic characteristics of a particular leader whom people like or dislike from his photographs and headlines. We assume that Iraq is Saddam Hussein, that Russia is Boris Yeltsin, and that England is Margaret Thatcher, who isn't even there anymore.

In this age of instant gratification, the American public usually wants immediate or dramatic solutions, not long-drawn-out wars or negotiations, not pressure through sanctions or evolutionary developments. Lyndon Johnson once said during the Vietnam War: "What the American people like is action . . . if I went to Hanoi to make peace, my popularity polls would immediately go up 10 percent—and they would be exactly the same if I bombed Peking. . . . They don't like . . . anything measured."[6]

That is a harsh indictment. What should the leader of a presidential democracy do? Long ago Lord James Bryce expressed his concern that too many a politician in this country was "always listening for the popular voice, always afraid to commit himself to a view which may turn out to be unpopular"[7] and thus unable to penetrate beneath the superficialities of the newspaper and the platform. Today a presidential candidate appeasing public opinion on foreign policy reaches for unwise or impracticable campaign promises, oversimplified to win the applause of each immediate audience. The demand for maintaining an outmoded military base or local weapons factory, or favoring in negotiations a particular commodity or ancestral homeland, is difficult to resist. But there are rarely demands to help a developing nation or to back the World Bank or to strengthen the United Nations. Similarly, incumbent presidents seeking reelection will be tempted to postpone difficult questions (as Ford did on the Panama Canal in 1976, Carter did on the SALT II Treaty in 1980, and Bush did on Yugoslavia in 1992). There is the temptation to reach for a quick fix (like Johnson's 1964 Gulf of Tonkin response and Carter's 1980 Iranian hostage rescue mission); the temptation to make ethnic appeals even though they antagonize our allies (as Woodrow Wilson in 1916 antagonized the British in order to please the American Irish), the temptation to dazzle

[6] Quoted in Theodore C. Sorensen, *A Different Kind of Presidency* (New York: Harper & Row, 1984), 49.

[7] James Bryce, *The American Commonwealth* (New York: Macmillan, 1899).

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the voters with world travel or emotional speeches or new foreign policy gimmicks. "Nothing is more dangerous," Winston Churchill once wrote regarding a leader's responsibility, "than to live in the temperamental atmosphere of a Gallup Poll, always feeling one's pulse and taking one's political temperature."[8]

And yet the influence of domestic public opinion in politics in our foreign policy decisions is consistent with both our Constitution and our concept of government. To say that we should remove such issues as bombing in Bosnia or human rights in China from politics is to say that they should be removed from public accountability and scrutiny. To charge that a president is politically motivated when he sends troops to repel Iraqis or to feed Somalis is simply to charge that he is doing what every elected official is elected to do.

But democratic government need not be a mere popularity contest; and no president is obliged to abide by the dictates of public opinion. The president's duty is to shape that opinion, inform it, woo it, win it, enlist it to his purposes. The conscientious president will be able to separate in his mind and speeches the long-range public interest from short-term public opinion—to realize that the value to this nation of economic assistance to Russia, for example, is not determined by its popularity; or that the North American Free Trade Agreement, to cite another example, cannot await grassroots approval.

The wise president, while not committing political suicide on behalf of hopeless causes, will not yield to every popular passion and prejudice of the passing moment. He knows he must offend some of the people in order to serve all of the people, to spend some of his popularity in order to preserve the rest. "I value solid popularity," said Senator Thomas Hart Benton almost a century and a half ago, after he lost his seat over the slavery issue: "I value solid popularity—the esteem of good men for good action. I despise the bubble popularity that is won without merit and lost without crime. . . ."[9] On occasion, the president must defy public opinion, reject its demands, assert his own priorities. The relationship between strong leadership and popular democracy is in fact one of tension and reconciliation (much like the famous reform university president who asked in all sincerity: "How can I democratize this university . . . if the faculty won't do as I say?")

[8] Report on the War, House of Commons, 30 September 1941, quoted in John Bartlett, *Familiar Quotations* (Boston: Little Brown, 1980), 745.

[9] Quoted in John F. Kennedy, *Profiles in Courage* (New York: Harper & Row, 1957), 120.

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I will revert to this matter of leadership in a moment. But I want to conclude my observations on the power of public opinion by noting that underneath all the clamor it has often been wiser than many of the so-called experts—not as ideological and not as weighted down with excessive jargon and inapt historical analogies. Since World War II, American public opinion has been remarkably consistent in its adherence to most basic long-range foreign policy objectives and remarkably supportive of our unprecedented commitment to our allies. Neither unilateralist nor isolationist, preferring neither a weak nor a belligerent America, it has been selective in its endorsement of armed intervention and steadfast in its support of human rights and preference for negotiated solutions. Most presidents who achieve reasonably prompt and painless results within those boundaries (not easy!) can still draw upon a large reservoir of public confidence, enlisting the power of public opinion behind their policies. *If* adequately informed about an issue over a prolonged period, the American people are likely to support a presidential decision that is reasonable and realistic.

The Power of the Press, Particularly Television

"If adequately informed. . . ." That is where the power of the press, and particularly television, comes into play in the modern era. In 1950, when the international institutions and U.S. consensus policies that prevailed for forty years of cold war were established primarily by those at the top of the pyramid, 9 percent of American homes had a television set; today over 98 percent do. Television became the primary provider of news for most Americans in 1963, and its lead has continued to increase ever since. Television news is the principal source of information for most people on presidential and congressional elections, on foreign policy, international conflicts, and other national and international events. Evening news shows in particular—including the news telecast on local stations, many of which have extensive foreign coverage and even their own foreign correspondents—are watched by more than seven of every ten American adults in the course of a week.

The advent of CNN, satellite broadcasting, electronic hand-held cameras, videotape, and other technological advances have steadily increased live television news coverage of overseas events, particularly in Western Europe, where more television bureaus are stationed than in any other foreign region.

Three important differences make television's impact on American

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attitudes toward foreign policy much greater than print journalism ever had. First, a far higher proportion of Americans watch television news than ever read newspapers or news magazines. Second, live action pictures on television—of starving children in Somalia or protesting students in China or ravaged villages in Bosnia—give it a credibility and impact, according to surveys, that override any conflicting information received from newspapers or from the president, the State Department, congressional leaders, or anyone else.

Third, and most significant, television reaches a huge "inadvertent" audience, those at the bottom of that foreign policy power pyramid who are normally uninterested in world events. Newspaper surveys find very few consumers read very few foreign news stories for more than a very few minutes. Most of those who do read foreign news read only headlines and an occasional half of a story, and make clear that they do not want more foreign news coverage. The average newspaper reader reads even less. But the average television viewer, who spends one-third of his day watching the screen by the hour instead of by program, is exposed involuntarily to international news that he or she would not have chosen to learn. The members of this vast inadvertent audience, many of whom have little or no information on the world beyond our borders other than that conveyed to them by television, often find their attention unintentionally engaged by the picture unfolding before them, their interest inadvertently aroused, their opinions almost involuntarily formed, and their actions as well as reactions as voters and citizens spontaneously motivated.

The result of this extension of foreign policy decision making to those at the bottom of the pyramid is undoubtedly democratic; but whether it produces wise and constructive decisions and not simply emotional reactions and ill-considered interventions or changes of course depends in large part on the adequacy and accuracy of the information people receive. If the limitations of a 100-second news story require oversimplified presentations of multifaceted problems and the total omission of less dramatic events, if the limitations of the camera require the slighting of key institutional and evolutionary developments that are better analyzed in print, if for the sake of a good picture a negative emphasis on colorful violence or dramatic conflict exaggerates the role of force in the world, then those television viewers with few or no other sources of information may urge unreservedly hasty or deceptively painless decisions upon their government.

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I am not optimistic on that score. Objective surveys show that much of the American television public is still ill informed, still handicapped by stereotypes and slogans, still uninterested in seeking more information, and still unconcerned about most foreign policy issues. One analysis comparing postelection surveys in 1948 (when print media dominated the news) and 1976 (when television news was dominant and public affairs programming had doubled) found that public understanding of the issues had not noticeably improved.

Television, moreover, lends itself even less than newspapers to the encouragement of secret or even quiet diplomacy, the kind in which compromises are painstakingly negotiated to completion before second-guessing criticism can undermine them. Television helps to publicize plans or intentions that might better have been left unknown, to spread words of anger or commitment that might better have been left unheard. "I doubt," said Abba Eban, the former foreign minister of Israel, "whether . . . Moses on Mount Sinai would have been . . . [successful] if, after every one of the Ten Commandments, he had to come down . . . and be interviewed by Walter Cronkite or Barbara Walters."

But, for better or worse, television has certainly increased the democratization of American foreign policy. It has reduced the influence of *The New York Times* and *The Washington Post*, the daily journals of the old foreign policy establishment. It has communicated many a breaking international event to the entire nation at virtually the identical moment that the president and director of the CIA learn about it. Its public affairs programs have sought to inform more people about more foreign problems than any other medium in history. It has brought to millions the expert foreign policy views of public officials and private scholars, including many who would never have been invited to join the old elite. It has required the U.S. government to present appealing reasons for any course of action abroad that will cause public alarm. It has given all U.S. citizens, regardless of the regional influences to which they are subject or the newspaper markets in which they live, the same information on foreign affairs at the same time. And it has made the Oval Office a bully pulpit far beyond anything Theodore Roosevelt could have imagined, giving the president not so much unlimited power as unequalled opportunity—the opportunity to inform and persuade and cajole, the opportunity to mobilize support, to take the initiative, to set the agenda, and to keep the nation focused on his proposals and his solutions.

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Conclusion

I do not advocate that the president be a mere seismograph, utilizing television as the great electronic town hall of Ross Perot's description in which television viewers vote by push-button or otherwise on whether he should arm the Bosnian Muslims or bomb the Bosnian Serbs. But I do believe the television audience can be a strong president's sword in foreign affairs, as well as his compass, to arouse that majority of Americans who are indifferent to most foreign policy issues. As one observer recently described the American public's attitude toward the former Yugoslavia, the former Soviet Union, and most other parts of the world: "Apathy is rampant here; but who cares?" The president cares, because he needs public support and enthusiasm; and television can enable him to lead and inform public opinion, if he uses it effectively and selectively.

In short, the rival sources of power can be strengths instead of obstacles to an effective president. He can not only consult with but enlist the Congress, not only inform but mobilize public opinion, and not only recognize but utilize the power of national television. That is the kind of leadership our country urgently needs. That is the kind of leadership I am hoping history will find to have occupied the White House today.

I do not share the concerns of those who criticize this president or any president for advancing his own objectives and priorities. Better that he be a John Adams, writing in his White House diary: "I desire no inscription on my gravestone other than this: 'Here lies John Adams who took it upon himself to avoid war with France,'" than to be a Warren G. Harding, complaining to a White House crony: "I listen to one side and they seem right, and then . . . I talk to the other side and they seem just as right, and then I am back to where I started. . . . God, what a job!"[10]

What a job it is indeed. But what a vast need exists on this planet for real leaders, under either parliamentary or presidential systems. I do not share the view of Marx or Hegel or Spencer that the great tides of history and economics determine our fate, rather than individual leaders and heroes. I believe with Carlyle that the right individual in the right place at the right time can alter history and human events; and I have seen it happen.

[10] Remarks of Warren G. Harding, 1922, reported in Joseph R. Conlin, *The Morrow Book of Quotations in American History* (New York: Morrow, 1984), 135.

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Foreign Policy in the Italian Democracy

GIULIO ANDREOTTI

There are various reasons why foreign policy has played and still continues to play such an important and in some cases dominant part in Italian democracy. It is bound up with Italy's history. Unification was only achieved a hundred and thirty years ago, after the country had been split up for more than four centuries into many separate States, some of which were of European importance: Rome, Milan, Turin, Venice, Florence, Mantua, Ferrara and Modena, and Naples and Sicily. Although comparatively small states, they nevertheless enjoyed diplomatic relations with one another and with the leading states of Europe, even during the period of foreign domination over the peninsula.

Modern, stable diplomacy is Italian in origin, and with the 1648 Peace of Westphalia, it spread throughout the whole of Europe, thanks to two cardinals, Giulio Mazarino and Giulio Alberoni, who held leading positions in France and Spain, respectively. Two other Italians were also the mediators of the Peace of Westphalia itself: the Papal Nuncio Fabio Chigi, the future Pope Alexander VII, and the Venetian Ambassador Alvise Contarini. It was they who introduced Italy's diplomatic customs regarding neutrality, precedence, privileges, immunities, the diplomatic pouch, and diplomatic couriers, etc. into the six-

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year negotiations. Moreover, the success of the Italian negotiators was very largely due to the fact that through their diplomatic representatives in Madrid, Vienna, Paris, and other minor capitals, they were in a position to act in those courts in order to engineer the peace. Efficient diplomacy requires concerted action.

The fact that the bloody thirty-year war ended without the unification of Europe under any one victor, emperor or pope, and that this resulted in the introduction of the pluralism of independent and sovereign states that made up the *Comitas Gentium*, led to an immediate declassification of the Holy Roman Empire which, as Voltaire said, "Was no longer holy, or Roman, let alone an empire." This strengthened the diplomatic method, designed to regulate relations between states and, following the Italian example, to prevent any one state holding sway over the continent. Hence the application of the "principle of equilibrium," which had already become established in Italy, where it found a theoretician in Machiavelli and a historian in Guicciardini. "These were the bases underlying Italy's peace," wrote Guicciardini, "arranged and counterbalanced in such a way that there was no fear that any shift might take place." Note this idea of counter-weight. David Hume had to define it subsequently in the *Balance of Power*, written some two centuries later.

Around the seventeenth century, particularly in Italy, studies of diplomacy flourished coupled by exceptional progress in the humanities and economics, with few parallels anywhere else. I am thinking here of the work "De Legationibus" by Alberico Gentili, published in 1585, which is a treatise on diplomacy and on the perfect ambassador, followed in 1598 by "De jure belli," which laid down the rules governing the legal conduct of war. Alberico Gentili with his "jus naturale" was a forerunner of Grotius and his idea of positive law. It was no coincidence that he was appointed to the first chair of international law at Oxford University.

In 1627 a diplomat from the Farnese Palace, Gaspare Bragaccia, published an Italian version in Padua of a lengthy treatise entitled "The Ambassador," which described every aspect of the work of legates and ambassadors: credentials, negotiations, correspondence, encoding, ceremonies, and immunities, etc. This long diplomatic tradition explains why the Italians were so sensitive for such a long time toward foreign policy issues, a sensitivity that they preserved even after the unification of the peninsula.

Another, by no means secondary, factor which kept foreign policy alive was emigration. Shortly after Italian unification, hundreds of

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thousands of Italians were forced to emigrate in search of work. Between 1876 and 1976, twenty-six million Italians emigrated all over the world. This gradually created a consistent network of ties between Italy and the host countries, which caused Italy to take a great and continuing interest in the state of those countries and in their mutual relations.

And Italians will never be able to forget how much has been done so generously by Italian-Americans on behalf of the land of their fathers, during both World Wars I and, above all, II. We are deeply indebted to them.

This helps to explain why Italy, immediately after unification, was unable or unwilling to have any one generally accepted foreign policy, but rather took up a sort of juxtaposition of the policies of all the previous states along the lines of what occurred with the organization of the state bureaucracy.

The unitary State very soon had to come to terms with a kind of geographical Machiavellianism, because the possession of the Alpine borders and the Po Valley linked Italy to central Europe, while over 2,000 km. of coastline around the peninsula enclosed it within the Mediterranean.

This required two clearly distinct policies, each with its own historical traditions and its own strategic demands. One was identified with the House of Savoy, which for centuries had been the guardian of the Alps, controlling access to the Po Valley on the one hand and to the Rhone Valley on the other. This enabled them to nibble away, little by little, at the "Italian artichoke" as Duke Emanuele Filiberto put it.

After Italian unity, the continent-oriented policy was joined by the Mediterranean-oriented policy, which was initially static because the Bourbon Kingdom was hemmed in "between holy water and salt water," in other words, between the Papal States and the sea, which were ruled by others. But when the Suez Canal was cut through, the Mediterranean became one of the world's main sea routes to Africa and Asia, which gave a powerful boost to Italy's Mediterranean-oriented policy.

Italy's problems became immediately more complex. The northern part of the country, which was preparing to become the future industrial triangle, moved increasingly close to the Central European regions and their political destiny. The southern part was directly influenced by the explorations and the conquests in Africa and by the winds of imperialism. The economic depression also forced the country toward ambitious and illusory goals.

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These two opposing thrusts and the foreign policy decisions that had to be taken, depending upon circumstances, remained the subject of heated public debate. A sort of permanent dialectic, from which many myths emerged, flourished and died. One of the most resistant was the myth that Italy had the duty to act as a bridge with the African coasts and Eastern Europe, where the end of the Ottoman Empire held out great promise and stimulated powerful appetites. Recalling the adventures of the marine republics, Venice and Genoa above all conjured up glorious memories and less unblemished banking and commercial ambitions over the "coasts bathed by the Mediterranean."

Italy's function as a bridge was always present in the heated debate which kept diplomacy and to an even greater extent public opinion busy up until World War II. It kindled the imagination, particularly among the people in the south. Eventually it introduced a new element of confusion, which helped to obscure a cold and realistic definition of the relationship between domestic policy and foreign policy. The Mediterranean thrust should have been clearly staked out, commensurate to Italy's continental commitment whose primacy was never in doubt; but this was never done, particularly during the Fascist period.

Italian diplomacy managed to maintain a certain balance until 1914 between the alliance with the central Empires and the Mediterranean Triple Alliance concluded with Great Britain and Austria-Hungary. In this way, through alliances and friendships Italy was able to protect her interests while seeking the greatest possible autonomy to satisfy her ambitions. Basically it was a pragmatic stance, seen by some as the continuation of a policy of concentration in order to be able to carry out indispensable domestic reforms, particularly in the south. Others saw it as a means of being able to act on the international stage at the right moment, bringing decisive weight to bear.

This became clear during the 1914 crisis in Europe, when the debate in Italy between neutralists and interventionists became so heated and even at times violent. And this was despite the fact that the treaties committing Italy had been kept rigorously secret, so much so that they were only known about toward the end of the war and only thanks to Russia and Austria.

Of the various components that helped to win over public support in Italy, first was the irredentism toward Trent and Trieste, which were still in Austrian hands. But another very important force, particularly in political and cultural circles, was the democratic opposition to Hapsburg absolutism. Here was what we might call the traditional

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interest of Italy's public opinion in foreign policy issues, an interest which becomes active and sometimes impassioned participation in times of crisis.

The Fascist period has now been analysed in every single aspect and component. Historically it is now a closed book. And yet that dictatorial regime, despite all the resources it had at its disposal for propaganda and efficient policing, and despite having muzzled or even imprisoned its opponents, never managed to obtain total unanimity and consensus for its foreign policy programs, which were always far too overreaching and ambitious for its needs and for the real possibilities of the country.

World War II marked the end of an era in Italy's history. It was the detonator which brought about a radical change in the international scene in general and in Italy's in particular. The question of foreign policy in Italy's refound democracy immediately seemed to be bound to take on a completely different significance in a more Eurocentric but international world. In the new climate of freedom, with increasingly more efficient written and spoken journalism, partly thanks to Italy's access to the main international sources of information and news, foreign policy became a question of immediate great interest and the subject of intense debate.

The problems raised by the peace treaty contributed to this debate, together with apprehension about the fate of Trieste and Venezia-Gulia, Trent and the Italian South Tyrol, the borders with France, and war reparation. Old and new, realistic and ideological motives clashed with renewed force out of concern that the Allies might not take due account of the sacrifices that had been borne by the population during the Liberation struggle.

It became immediately clear that the dichotomy between foreign policy and domestic policy, which had characterised Italy since the Risorgimento, giving marked emphasis to the former over the latter, particularly in the Fascist period, was now absolutely impossible to maintain. Italy could no longer go it alone. The attempt, albeit rather grudgingly, to get our country to adopt a neutralist policy met almost immediately with general indifference.

The time had come to take a decision between the two blocs: the Western bloc led by the United States, and the Eastern bloc dominated by the USSR. The 1948 general election, the first since Italy had voted to become a republic, were the most highly motivated in terms of foreign policy issues, much more than any of the elections ever held

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since Italian unification. The preference for the western option convincingly won the day. Alcide De Gasperi's party alone obtained an absolute majority in Parliament.

Italy, with the support of French diplomacy, was then admitted as one of the founding members of the Atlantic Alliance. The prime minister of the day, De Gasperi, wanted Parliament to take a stance *before* the pact was signed. The debate in the Chamber of Deputies lasted for five days amid considerable acrimony at times, as one might expect in a country that had the strongest Communist party in the western world. But the outcome left no room for doubt: 342 votes in favor, 170 against, and 19 abstentions.

The debate then continued at length throughout the country, dominated by foreign policy considerations at all times, as if the choice was not so much between capitalism and communism, as between Washington and Moscow. Many factors underlay the widespread support given by the Italians to the Atlantic Alliance, including aid under the Marshall Plan, President Harry Truman's support for Italy against the excessive territorial ambitions of France and Yugoslavia, and, by no means last, the influence exercised by the powerful Italian communities abroad, above all in the United States, over their Italian relatives and friends.

One month after signing the North Atlantic Treaty, Italy was admitted to the Council of Europe, a consultative assembly, which the then Foreign Minister Carlo Sforza defined, somewhat ahead of his time, as a fully-fledged European Parliament.

Locked in so firmly into the concert of free nations, Italy worked hard to ensure that the peace treaty would be declared obsolete, also on account of its unjustly punitive spirit. On 26th September 1951, the United States, the United Kingdom, and France announced that they would no longer insist on the performance of the political clauses of the peace treaty, because they had been made obsolete by events.

Italy's membership in the Council of Europe brought to the fore the whole issue of European unity, which has always enjoyed broad support among Italian public opinion, beginning with the Ventotene Manifesto launched in 1941 by Ernesto Rossi and Altiero Spinelli, who were sentenced to internal exile because of their opposition to Fascism, followed in 1943 in Milan with the foundation of the Federalist Movement under Nazi occupation. Carlo Sforza on his return to Italy immediately warned that if Italy was going to resume an international position, it would have to depend first and foremost "on being

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able to equate the permanent interests of Italy at all times with the interests and the supreme ideals of the organisation of Europe." This axiom he never tired of repeating.

It was, therefore, no coincidence that Italy was one of the participants in the establishment of the Coal and Steel Community and shortly afterwards promoted the signing in Rome of the treaties instituting the European Economic Community and Euratom. No other issue has enjoyed and continues to enjoy such support in Italy as the question of European integration. It has become a constant feature of Italy's foreign policy on which the legal country and the real country are united.

Further consolidation of this support came about as a result of a series of favourable events. In October 1954, the Memorandum of Understanding was signed in London under which, thanks to Anglo-American mediation, Trieste was returned to Italy. That same month, Italy joined the Western European Union (WEU) as a defensive military alliance. Even though this treaty was a disappointment to the Italians, because it lacked those elements of supranationality of the European Defence Community (EDC), which had failed on account of French opposition, it was nevertheless ratified by Parliament with a substantial majority in favor. Lastly, Italy was admitted to the United Nations in 1955, after five vetoes by the USSR.

The already strong support of Italian democracy for foreign policy was further consolidated when the Socialist party split off from the Communist party following the 1956 Soviet repression of the Hungarian uprising. As expected, the Socialist party subsequently joined the government majority and declared its support for both NATO and the European Economic Community (EEC). A path was taken in a similar direction by the Communist party in the 1960s. First, it said that it was in favour of the EEC and accepted the appointment of Communist members to the European Parliament. Subsequently, after a more heated internal debate, it agreed to accept the Atlantic Alliance. In December 1977 it signed the parliamentary declaration acknowledging that NATO and the EEC were two fundamental elements of Italy's foreign policy.

We are, therefore, fully authorized to say that from that time onward, Italy's foreign policy was broadly identified with Italian democracy. Clearly there were waverings, depending upon the governments of the day, but the underlying ideas remained unchanged under difficult circumstances at times, including those created by international

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terrorism, which Italy managed to overcome with patience, vigilance, and tenacity.

The opening up of the European Market made an enormous contribution to Italy's economic miracle in the 1960s and 1970s, which made it possible to absorb the surplus peasant labor force and transfer it to the industrial and tertiary sector, partially thanks to the mobility of labor within the EEC. This enabled Italy to join the Group of Seven most industrialised countries in the world, where even today Italy is not in the back row, despite the lack of raw materials and despite recurrent economic crises.

Italy has certainly encountered problems as a result of her traditional Mediterranean component, kept alive by the Arab/Israeli conflict and the unfortunate Anglo-French expedition against Egypt in 1956. It is not some privileged relationship with the Arab states, but is dictated by the need to take account of certain vital interests, including oil supplies. Italy's task, which is anything but easy and at times even thankless, consists in maintaining that indispensable balance of peace and cooperation in the regions of the Near East and North Africa.

One example of this was the coup d'état that brought Colonel Muammar el-Qaddafi to power in Libya in 1970, followed by the expulsion of the Italians and the expropriation of all their property. Italy preferred to leave open the path of negotiation, even when the United States decided to bomb Tripoli in 1986 as a punishment for terrorism, but Italy joined in applying the measures taken against Libya by the EEC. Since that time Italy has been working with some degree of success to reestablish normal—and if possible friendly—relations, excluding recourse to military solutions. In the same spirit, Italy has continued to contribute as before to international peace missions in Sinai (1981), Lebanon (1982–1984), and most recently in Somalia and Mozambique since 1992.

Another noteworthy fact refers to the dispute between Libya, the United Kingdom, and Malta regarding the legal status of Malta following the departure of the British military. This dispute was settled in 1980, when Italy undertook to guarantee Malta's neutrality with the full backing of NATO and the EEC.

I feel that these are sufficient indications to show the soundness of Italy's foreign policy in line with the decisions of the United Nations, NATO, and the Conference on Security and Cooperation in Europe (CSCE), which was also made possible by the broad support it enjoys on the part of Italian public opinion.

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The same conclusion also applies to what Italy has done and is still doing with regard to European integration. *All* of Italy's political parties since the 1970s have been in favour of a directly elected European Parliament endowed with broader powers and authority. In the 1979 and 1984 European elections, more Italians voted than in any other European country.

It should not be forgotten that Italy did a great deal to have the United Kingdom and, later on, Spain and Portugal admitted to the EEC, thereby contributing toward strengthening the Community and establishing a better internal balance. Italians clearly saw that the time had come to perfect the Treaties of Rome, making them more appropriate to deal with the new international situation, if possible with major elements of supranationality.

Italian diplomacy promoted these and other measures at the European Council in Milan, as a prelude to the signing of the Single European Act in The Hague on 28 February 1987, which introduced important amendments to the Treaties of Rome to strengthen economic and financial policy cooperation between the member states. Substantial progress was made, but not enough for Italy, because even while it was being signed, Italy expressed the hope that it would move in a federalist direction.

A further step forward was made with the Treaty signed at Maastricht on 7 February 1992 creating the European Union, European citizenship, and economic and monetary union by 1999, etc. Before it can come into force, the treaty still has to be ratified by the United Kingdom and Denmark.

I should like to recall that during the past few decades Italy has undergone a radical transformation in every sphere and has experienced prosperity without precedent. This has contributed toward strengthening Italian democracy and public support for a foreign policy firmly anchored to NATO, the EEC, and the United Nations, geared to defending international peace and collaboration.

I have not been asked to deal with the as yet unresolved issue of the collapse of the Communist regimes in Eastern Europe, the unification of Germany, and the dissolution of Yugoslavia and Czechoslovakia. These are events that have inevitably had powerful repercussions throughout Europe and particularly in Italy. On the one hand, these events have justified public support of Italy's foreign policy as it had been previously pursued by every government in the past; on the other, they left open a number of serious unsolved questions regarding the future, to which it is impossible to give a safe answer.

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WHICH SYSTEM DOES WORK BEST?

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Concluding Reflections

RICHARD PIOUS

As we were listening to the third panel, I told Jim Caraley: "I thought we were friends, but giving me the job of trying to summarize what people have been saying is not what a friend does to another friend, because it's going to be a difficult job." The experts on these panels are like the specialists in a medical school's grand rounds: the patient and six or seven different specialists each come up with a different diagnosis or prognosis. They use different instruments in their examination and have different theories to explain what they are looking at. Everyone at this conference seems united on only one proposition, which Alexander Pope formulated in his "Essay on Man": "For forms of government let fools contest; whatever is best administer'd is best."

The three panels certainly did not stick to the format of the conference, which is fine. Our panelists had two problems early on with our title, "Parliamentary and Presidential Democracies." What does that mean? "Which Works Best?" What does that mean? Both Lowi and Calise asked: What are we trying to describe? Simply a set of formal institutions? But Katznelson reminded us that even with an institutional definition we would have to broaden our focus to "bring the State back in" and specify relations between state and society. Of course he is not the first person for whom that concern is relevant. To those at the conference who spoke of Woodrow Wilson as if he

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were some kind of fossil, let me remind you that he got tenure when he wrote a book called *The State*, in which he went well beyond institutional analysis to focus on precisely the questions that Katznelson was talking about. So it's not a question of moving beyond what we've done or going beyond the people who have come before us. These fundamental questions have been with us since Plato's *Republic* and come to us in American political science through Wilson and many other nineteenth-century theorists.

Hochschild wanted us to consider the political culture. She made a very good point: anxiety in the culture of the United States in two separate time periods pushed much of the institutional reform agenda. Anxiety seems to have been one of the themes of the conference. Lowi asked pointedly: "Well, if we're doing so well, how come we feel so bad?" We heard the same question in the Italian panel. Some people in the audience said, "The Italians are doing quite well, aren't they?" Look at how prosperous Italy is. But the panel (La Palombara excepted) was saying something quite different: "If we're doing so well, how come we feel the way we do?"

If we stick with formal institutions, Sundquist pointed out that there is no one single parliamentary system. There is the Westminster system in the UK and in the Westminster democracies (Canada, Australia, New Zealand); there is the continental multiparty system in all its variations; there is heaven only knows what kind of system emerging in the East – perhaps parliamentary, perhaps semipresidential. There is the U.S. presidential system, the semi-presidential French and African systems, and the Latin American presidential system.

The conference has looked at the impact of party systems, interest groups, bureaucracies, meritocracies, etc. It makes a huge difference in both presidential and parliamentary systems if the executive can exercise party leadership. The U.S. system can shift almost instantly from party government, as Sundquist described the Clinton presidency, into presidential government as Lowi described it; it can further shift into congressional government as described by Representative Green and into split government. The permutations of government are a result of the relationships within the governing party and between it and the opposition party. What Stephen Skowronek refers to as political time affects not only the regime (voter and group coalitions) but also the way institutions function. And it is probable that political time affects parliamentary systems as well. This conference did not have what Walter Bagehot claimed Americans always have – constitu-

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tionalism on the brain—because we moved well beyond public law and institutional concerns to the questions of modern political science, even if the underlying questions remain those of classical and Renaissance political theory.

The conference spent considerable time dealing with the relationship of party systems to institutional analysis. Calise used the concept particracy to describe the Italian system. I believe that the word in common parlance in Italy is very pejorative. It describes an exaggerated role for the parties, a corrupt relationship, as the word was used by Sartori—the colonization of political institutions by parties. Calise used the term in an analytic way, referring to a system in which executive power is held by officials who rule by virtue of their party positions. Their ability to consummate bargains between or among parties is based on that position, rather than on popular mandates. The government agenda is driven by extraparliamentary and extracabinet maneuvers. It is a system in which the functions of a party—to be responsive to popular demand with regard to public policy and to keep the government accountable to the people and to the law—can be subverted by patronage and corruption. As Sartori pointed out, whether that corruption is extortion or not is almost immaterial. It is a system that implicates most of the statist economy and, in a country like Italy, much of the nation's elite. ("Implicates," by the way, is a neutral word: it certainly doesn't require that everyone be guilty of a violation of criminal law; yet it means that everyone is enmeshed in the system.)

The conference participants had difficulty assessing what kind of system works best. "Best at what?" they asked. Legitimizing the system? If, as Lowi says, the United States is doing so well, why do we feel so bad? We're all familiar with the long litany of social, economic, and cultural ills in our nation. If the American system is doing so well, why do we have such a large reform agenda? Why does Ross Perot have a following?

A number of panelists commented on the irony of Italian political malaise combined with its social and economic successes, measured against the 1945 baseline. LaPalombara pointed to the enormous accomplishments, and his list can be extended. The transformation from fascism to a multiparty republic wasn't due simply to the efforts of the Italians; neither was its transformation from aggressor nation to war victim and western ally within the space of a few years. In both transformations, western foreign policy played the key role. The Italian economic miracle has put its purchasing power in seventh place above

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Great Britain. There is some irony in these facts. Americans tend to admire the British political system; I have never heard similar admiration for Italian politics. Yet whose economy and society has functioned better since 1945?

Nanetti made the point that Italy has produced an experienced and highly intelligent leadership group, one that bears favorable comparison with most other countries. And Italy may not have been as unstable as superficial analysis often suggests. A single party dominated almost the entire postwar period, which contrasts with party turnover in the United States and United Kingdom. With the exceptions of Bettino Craxi and Giovanni Spadolini, all the prime ministers came from a single party, if one can call the Christian Democrats a single party. In that same time frame, the White House changed party ten times. Italy had fifty-two governments, but only thirteen prime ministers. So much of what we all a change in government was simply a cabinet reshuffle. Even in the period of fundamental reform from the first to the "second" Italian postwar republic that our constitutional commentators were describing, the existing parties have begun to transform themselves into mass-media campaign organizations that will continue to exert control through the particracy. And if they fail, new combinations may well take their place and continue the system.

But after our panel on Italy concluded, we are still left wondering about some of the fundamental relations of state and society, especially those that involved Propaganda Due, Banco de Lavoro, and what one might call the autogenicide of the Italian political and financial elite in the prosecutions of 1993-1994. Lowi wanted to know what the function of this exercise in self-destruction was (a question Italians once asked Americans about Watergate and Iran-contra). Sartori called it a *jacquerie*, but a *jacquerie* involves the revolt of the French peasantry against feudal lords, a class-based politics that does not seem to be involved in these prosecutions. Is this the case of an autonomous judiciary, perhaps unhappy about the spate of assassinations of judges and prosecutors? Is this orchestrated from the top or from within the party system itself, as some sort of purge? Is organized crime behind it? Does it involve the Northern League? LaPalombara was suggesting that "Milanese outrage" may have played a role, but we do not know what caused this eruption.

The British, as Epstein pointed out, have a strong and stable government. But beneath the surface stability of the Westminster system there is considerable instability. There are deep splits within and between the

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largest parties. Epstein pointed out that in none of the postwar elections has the majority party won a majority of the popular vote. Institutional arrangements do count: the first-past-the-post rules create majority governments out of minority sentiment. Majority rule creates its own problems; Epstein noted the impact of party rotation and responsible party government on the economy (nationalizing steel, denationalizing steel, nationalizing it again, privatizing it again). He refers to these somewhat delicately as reversals of policy, but in fact they deal with fundamental issues of the relationship between state and society. One might argue for another kind of irony: a system that has rules to promote stable and strong government does so, and then the responsible party system provides an unstable and rather irresponsible economic environment. Peele pointed out that Conservative party rules about selecting a leadership make it difficult for the leader to get out of problems unscathed or with minimum damage: the possibility of a putsch that did in Margaret Thatcher is always in the air.

Epstein pointed out that U.S. commentators have often used the British system as a benchmark for evaluating their own. From the 1870s into the early 1900s, many American political scientists argued that the British system was better than their own. Others suggested that the United States was moving toward the British system: the Speaker of the House seemed after the 1890s to take the role of a prime minister, and the president was assuming a formalistic and ceremonial role. Institutional reforms proposed by political scientists included the question period, cabinet responsibility, and an end to separation of powers. By tradition, American commentators have looked wistfully across the Atlantic. When we think of British prime ministers, we summon up Winston Churchill. When we think of cabinet ministers, we think of Anthony Eden and Harold MacMillan—at their best, not their worst. When we think of civil servants, we think of the Oxbridge permanent secretaries providing continuity and expertise. We look at the power of the Westminster system working on all cylinders, with the cabinet combining the legislative power of the Crown and Parliament, and the executive power of the Monarch and the Privy Council. We think of cabinet government as a juggernaut of public policy, freed from our messy checks and balances. We long for responsible party government.

Christoph called the model as it is evolving a Westminster-Whitehall model. To those on our side of the Atlantic who long to emulate it, there is an old saying: "If you're so smart, how come you're not rich?"

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Exactly so. If the British system works so well, why aren't the British as a nation doing well? Why are they moving away from a complete reliance on parliamentary politics? Peele points out that politics is flowing not only toward Whitehall from Parliament, but it is also moving to local governments. There is a new institutional focus on constitutional constraints, on bureaucratic implementation, on legislative oversight. Epstein posed the issue neatly when he pointed to the widespread assumption that Britain generally and its government in particular were not responding adequately to national problems. Problems such as the erosion of the special relationship with the United States, spotty economic growth, a decline in living standards, the intractability of the Northern Ireland issue, and the increase in terrorism have all contributed to that perception.

The British have had their share of complete fiascoes even though they have a parliamentary system. They've had Suez, which is just the sort of thing Americans associate with the imperial presidency. They've had the poll tax, just the sort of tax trap U.S. presidents can get themselves into. One wonders how the differences between the Westminster and the presidential system ultimately play out in terms of decision making and public policy. The United States has not done much better and may have done worse. One could argue that the American presidency is the most erratic of the major American political institutions. Depending on whether or not you like a political and policy revolution every four or eight years, it's either a destabilizing or a dynamic institution. The so-called popular presidency wins elections with the support of one-quarter of the voting age population. Clinton won with a smaller percentage of votes from those eligible to cast ballots than any president since John Quincy Adams in 1824. A president usually trails most members of his congressional party in the percentage of popular vote he garners. In Clinton's case, given a third candidacy, he trailed every single member of his party in the Senate and House.

We in the United States are supposed to have—and to some extent do have—what Lowi refers to as a personal (or plebiscitary) presidency. But an incumbent in such an institution is in for a rollercoaster ride because of the ups and downs of popular sentiment. We need to address the linkage between institutions of state and the society. Is the strong presidency effective? Does it really work for all the people? Or has the presidency become a personalistic, imperialistic, and statist institution? Perhaps it is democratic and accountable at times, and

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imperial at other times. Perhaps we have more than one presidency and more than one political system. Our commentators from Italy have talked about more than one Italian system, and our commentators speaking about the United Kingdom have talked about a parliamentary and a Westminster-Whitehall system. We have talked about first and second American and Italian republics. The challenge for us in attempting comparative analysis is to capture the dynamics of regime transformation, and get a handle on the systems we are talking about. That is the only way we can ever confront the question: Which system works best?

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